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THE TIMES

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45p

Bush threatens to send US forces into Serbia

President Bush, with forces already involved in Somalia and Iraq in the last days of his presidency, is threatening action in Serbia if the Balkan conflict spreads into Kosovo

By Jamie Dettmer and Our Foreign Staff

PRESIDENT Bush has threatened to take military action against Serbia if the Balkan conflict spreads to the province of Kosovo, where tensions have been rising between Serbs and the ethnic Albanian majority.

His warning, in a letter to the Serbian president Slobodan Milosevic, is the first indication that American would be willing to become embroiled in a conflict in Serbia, and marks a sharp escalation in the war of words between Washington and Belgrade.

There have been growing fears that a European war engulfing the Nato allies Turkey and Greece as well as Albania and Bulgaria could break out if the Balkan conflict were to spread to Kosovo or Macedonia. Mr Bush's note, sent last week after consultations with Downing Street and the Foreign Office, was leaked as the first batch of UN peacekeepers arrived in Macedonia and both moves were regarded last night as attempts to contain the conflict.

The 33 Canadian military observers and soldiers who arrived in Macedonia yesterday were the first of an eventual UN force of 800 to be deployed along the northern border with Kosovo, which was formerly autonomous but is now part of Serbia. President Milosevic is an advocate of hardline tactics against the 1.7 million Albanians there and massive unrest is expected if persecution continues.

Mr Bush's letter warned Mr Milosevic: "In the event of conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against the Serbs in Kosovo and in Serbia proper." It did not, however, make clear what form intervention would take, and the Bush administration has frequently stated that it would not deploy ground troops in the Balkans.

Besides threatening action in Serbia, the note warned the Serbs that America was ready to take action if UN troops in Bosnia-Herzegovina were attacked in reprisal for any allied efforts to enforce the flight ban over the former Yugoslav republic. America is anxious for the UN Security Council to pass a resolution this week authorising enforcement of the ban, but the allies have still not agreed its terms. Britain and France fear for UN troops in Bosnia while

Boutros Boutros Ghali, the UN secretary-general, and the peace mediators Lord Owen and Cyrus Vance want more time for a political settlement. Dr Boutros Ghali, who intends to visit Sarajevo on Thursday, yesterday continued his quest for peace in meetings with the presidents of Bosnia, Croatia and the rump Yugoslavia. He warned the Yugoslav leader Dobrica Cosic of the dangers of international intervention in Bosnia and appealed to him to use his influence with the Serbs to halt the bloodshed.

Franjo Tudjman of Croatia also predicted that the conflict could spread into an international war with the risk of Islamic nations going to the aid of the Bosnian Muslims while the Serbs were seeking help from Russian volunteers. He called for a political solution "at any cost", adding: "There is a real danger that this war might spill over and assume undesirable scale which could threaten global peace."

The Geneva peace initiative now rests on a planned meeting on Sunday between the political and military leaders of the three warring factions. If the talks go ahead, it would be the first meeting between President Izetbegovic of Bosnia and the Bosnian Serb leader Radovan Karadzic since the start of the conflict.

Dr Karadzic yesterday wrote to John Major "to cool the temperature over the issue of 'no-fly zones', offering to allow UN monitors to accompany any emergency flight over Bosnia to verify it was not on a combat mission. The UN would have unrestricted access and no flight would depart without a monitor on board. "We are not engaged in any serial combat missions," he wrote. "The flights we are operating are used for humanitarian purposes only."

Dr Karadzic also said he was willing to accept an unlimited number of UN monitors to be deployed across all territory under Serb control to secure land corridors for the relief effort.

Muslims mass troops, page 6

THE HAPPY HUNTER



Shooting party: the Prince of Wales enjoying a pheasant shoot at Sandringham yesterday. The party was joined for lunch by his sons, Prince William and Prince Harry, who are expected to be return to their mother in London today

Stores pack in wall-to-wall customers as sales set record

By Louise Hidalgo, Ronald Faux and Ray Clancy

BARGAIN hunters jammed shops up and down the country yesterday, sending sales soaring to record levels after two years of recession.

The long Christmas break, combined with drastic price cutting, drew tens of thousands of customers to the stores in a nationwide shopping spree. In further good news for the economy, Halifax Building Society, the largest mortgage lender, predicted that the housing market would begin to recover in the spring and that up to 165,000 more properties would be sold next year. The Halifax expects the recovery to be led from the north. Prices in the north are 15 per cent below the national average compared with 35 per cent at the height of the market.

In an upbeat end-of-year review of the housing market, the society says: "We believe that the recovery in the economy as a whole could be stronger than expected."

The optimistic forecast coincided with the mood of shoppers who brought traffic jams to town centres from Leeds to Bristol, while crowds thronged London's West End, where the pre-Christmas shopping rush had been blunted by the threat of more IRA bomb blasts.

In Bristol, city-centre car parks were full by 9am, bringing traffic in the rest of the city to a standstill. On the M1, motorists faced long delays as six-mile tailbacks clogged the approaches to Sheffield and Leeds. In Sheffield, the Meadowhall shopping centre registered a record 150,000 visitors, and in Manchester more than 1,000 people were waiting outside Kendal's store in Deansgate at 8.30 am for the doors to open.

"The city has gone absolutely crazy," a store manager

said. Marks & Spencer in Belfast reported "wall-to-wall customers", while by midday Bond Street centre in Leeds was receiving more than 10,000 visitors an hour.

In London's Oxford Street, traffic had ground to a halt and the stores were heaving with people by 10am. "It's the busiest start to the sales we have seen for some time," Tim Daniels, managing director of Selfridges and chairman of the Oxford Street Traders Association, said. "I have not seen crowds like this in the electrical department for ages."

Clothing, electrical goods and household wares, particularly bed linen and crockery, were the items most people had come to buy, retailers reported. Washing machines, leather sofas and other furnishings were also in strong demand.

In true winter sale tradition, one family ate Christmas dinner on the pavement outside a Portsmouth department store to ensure first refusal on an £800 three-piece suite reduced to £50. Arthur Snow, 29 and unemployed from Southend, had queued since 4pm on Christmas day to buy his girl friend an oriental rug, reduced from £560 to £10.

Retailers, though overwhelmed by the tide of shopping enthusiasm which was sweeping the country, remained only cautiously optimistic about what it might herald for the new year. Jeff Johnson, general manager of Kendals, said he thought many shoppers were spending now only because they had saved up to take advantage of the sales. "But whether this means the recession has ended depends on the Chancellor," he said.

Photograph, page 16

US president to see in Somalia's bright 1993

By Our Foreign Staff

PRESIDENT Bush is to visit Somalia on New Year's eve, where he will meet US troops and visit feeding centres for the country's starving. Marine spokesman Colonel Fred Peck said in Mogadishu yesterday.

The announcement came as American and Canadian soldiers seized Belet Huen, the final target of their campaign to make Somalia secure for food shipments. At the same time, Mogadishu celebrated as two warlords promised to reunite the city. Muhammad Farrah Aidid and Ali Mahdi Muhammad, the leaders who control the divided capital, met at a public gathering for the first time in more than a year and announced that their war was over.

About 200 members of the 2nd Battalion of the 87th Infantry Regiment and 40 Canadian soldiers entered Belet Huen unopposed, as troops did in seven other cities secured by the US-led force since it began arriving in the country on December 9.

By the end of the week, 800 Canadians will be in Belet

Huen, which is 200 miles north of the capital near the Ethiopian border, and the Americans will be withdrawn for other tasks.

With the ports and airports at Mogadishu and Kismayu secured and large amounts of food beginning to pour into the country, the coalition plans to establish distribution centres in the six interior towns. Supplies will be moved out into surrounding villages and the countryside. But trucks capable of making the trips have been difficult to find.

Mr Bush is scheduled to arrive in Mogadishu just after midday on Thursday, go to the US embassy and then visit a relief site 12 miles away. He will spend the night aboard the USS Tripoli then fly to the bush town of Baidoa, to visit an orphanage, and to Bali Dogle for a field ration lunch with his troops.

He will return to Mogadishu on Friday to meet relief workers before going to Saudi Arabia to meet King Fahd.

Fighting ends, page 8

Queuing up for summer

By Harvey Elliott, Travel Correspondent

BRIGHT sunshine and two days of aggressive advertising combined to produce a rush for holiday bookings yesterday. Many travel agents were reporting sales 50 per cent up on last year.

Lynn Poly said that the rush started at around 10.30 although queues had already formed outside their York shop by 8.30. Only the South Coast towns were quiet. Pickfords said that they were having "a very exciting time" with sales to Florida, Greece, Spain and ski resorts already 50 per cent up. Thomas Cook said that their shops were much busier and Airtours predicted that the rush would go on throughout January.

Some companies were running out of seats on aircraft bound for ski resorts as deep snow guaranteed the best European conditions for years. In Scotland the ski season got off to one of its best starts with car parks packed in the Cairngorms.

Police demand better protection for WPCs

By Nicholas Watt

THE Police Federation yesterday called for better protection for female officers as a police woman fought for her life in hospital. WPC Lesley Harrison, 29, whose heart was punctured in a stabbing attack on Sunday night, was said to be in a very serious condition after emergency surgery.

She was stabbed three times in Liverpool after being called to a burglary in the Portman Road area. Operators in the police control room heard her screams when her colleague raised the alarm by radio. Mike Bennett, chairman of the Police Federation, said: "In the modern age female officers are in the forefront of fighting crime and it is silly to give them smaller truncheons, just so they will fit in their handbags." Truncheons issued to men are 14 inches long, while women are issued nine-inch batons.

Mr Bennett also criticised the Home Office. "We need a much longer baton but Home Office bureaucrats, who have no knowledge of the real

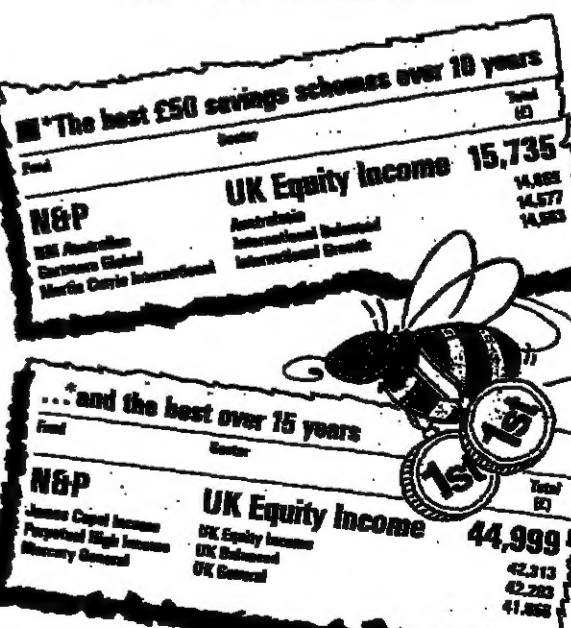
world, will not even allow us to test the batons. We were looking at a 21-inch baton with a side handle that had excellent defensive qualities. But the Home Office were nervous about it after the Rodney King beating in Los Angeles."

WPC Harrison was allegedly attacked by a man wielding a screwdriver. Afterwards he ran off and tried to catch a taxi from the scene but the driver refused. The driver, who was identified only as Terry, said: "He then tried to drag me out of the front of the taxi and two police officers ran up and tried to grapple with him. He put the taxi into gear and pulled off but as he did I jumped into the back unknown to him. He ended up in a cul-de-sac and that's when I ran after him."

Two other police officers chased the man and arrested him after a scuffle. Police were last night waiting to interview a man aged 28 who was treated for hand injuries.

Frequent victim, page 3

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NEWS IN BRIEF

Children 'put at risk in mountain hike'

Four adult walkers who took three children onto the Glencoe mountains have been criticised by a police chief. One child quickly tired on Monday's expedition to climb the 2,800ft Beinn Mhic Chasgaig in Glen Etive and was taken back by two adults. A rescue team found the rest of the party in serious difficulty at the bottom of the snowline at 2,000ft five hours later. Harvey Suscock, 51, a company director, his sister-in-law Cornelia Guebler, 38, Alistair Suscock, 7, and Sarah Guebler, 6, all from Glasgow, were rescued unhurt by an RAF helicopter.

Chief Insp John MacFadzean of Lochaber said: "Had it not been for the response of the rescue team, the consequences could have been disastrous." He said the 1pm starting time was too late for a climb which, even under normal conditions, would have been too arduous for the children, who were dressed in anoraks and rubber-soled boots. The adults were not carrying a torch or bivouac gear and had not left notice of their route. "We could have had a major problem on our hands and even loss of life." He said the case showed that people were ignoring repeated warnings about the dangers of mountains in winter.

Spiro suicide evidence

Recordings on micro-cassettes discovered close to the body of Ian Spiro, the former British spy, in the southern California desert in November, indicate that he committed suicide, according to a San Diego newspaper. Mr Spiro had died from cyanide poisoning and his wife and three children were found shot dead at the family home outside San Diego. Police have remained sceptical of reports that Mr Spiro had been killed because of his alleged links with hostage negotiations. The report in yesterday's *Union Tribune* says the tapes disclose that he was in an "unstable" frame of mind, muttering about financial difficulties, and indicate that he committed suicide after killing his family.

Rushdie visit warning

France could damage its relations with Iran by inviting Salman Rushdie to visit, the official IRNA news agency said yesterday. France has said it would welcome and protect Rushdie, who was sentenced to death for allegedly slandering Islam in *The Satanic Verses*. The French move could only "strain political and economic relations", the news agency said, noting that the volume of trade between Iran and France totalled \$3.5 billion (£2.3 million) last year, making France one of Tehran's largest trading partners.

Two shot in nightclub

Two men were wounded when a gunman opened fire with a shotgun in a crowded nightclub. One was hit in the knee and the other in the arm and side. The gunman escaped, despite being pursued by customers at the Mayflower club in Bradford, West Yorkshire. The injured men were detained in Bradford Royal Infirmary, where their condition last night was described as comfortable. Detectives believe that the attack early on Sunday, by a man in his 20s or 30s, may be linked to drugs or prostitution.

More pets abandoned

Against the national trend, the number of unwanted pets taken in by Battersea Dogs' Home in south London is the lowest for a decade. Josephine Henderson, the manager, said that fewer than 13,000 dogs had been brought in during 1992, 1,500 below the 1991 figure. But the Royal Society for the Prevention of Cruelty to Animals said that nationally more unwanted animals were being abandoned than ever before, mainly because people could not afford to neuter their animals.

Blow to transplant boy

The home of Stuart Masters, three, who needs a life-saving liver and bowel transplant in America, has been wrecked by vandals. Supplies from a medical cupboard, including special food, were tipped over the floor at the house in Shoburys, Essex, and vital intravenous feeding equipment smashed. His cot mattress was slashed, toys were cut up or sprayed with paint and taps left running. Shelley Masters, 24, his mother, said: "We have lost everything and will have to start again in new accommodation."



Wave of discontent: harbours at Peterhead, Grampian, Lossiemouth, above, and Peterhead were blocked yesterday by fishermen protesting against the Sea Fish Conservation Bill, which they expect to impose severe restrictions in 1993 (Ray Clancy writes). The south

harbour at Peterhead, Grampian, Europe's largest white-fish port, was blocked by boats carrying banners saying "Save our fishing fleet" and spelling out their grievances. Banners at Lossiemouth criticised John Major. Under the bill, which received royal assent just before Christmas, the fishermen expect to be ordered to keep their boats tied up in port for up to 190 days a year. They say it is unfair because the restrictions will not apply to French and Spanish boats that fish in British waters. "We want to show the government that we are not going to take this lying down. We are not going to sit in the harbour while the French and Spanish can fish as much as they want. That is discrimination," Peter Bruce, a Peterhead skipper, said. At Lossiemouth, where further protests are planned this week, skipper Dennis Slater said: "We want to show the strength of feeling against the persecution of the industry."

Smith to toughen his 'softly softly' image over union block vote

BY SHEILA GUNN
POLITICAL CORRESPONDENT

JOHN Smith is to speed up modernisation of the Labour party to rebut criticism of his "softly softly" style of leadership, but he has refused to be stampeded into quick fixes to win short-term support.

The Labour leader will make clear in the new year that he has no intention of backtracking on the pledge, made during July's party leadership campaign, to loosen the trade unions' grip on power within the party.

Unions hold 87.2 per cent of the conference votes, with a reduction to 70 per cent already agreed for next autumn's annual gathering.

He has remained silent during the party's review of the unions' voting rights, but Mr Smith is expected to emphasise the importance of diluting union influence while keeping Labour's traditional "sentimental" links with organised labour. The review will report to the national executive next month.

After leaks of its interim report indicated that the

■ A more forthright Labour leader will emerge in the new year, committed to speeding up modernisation of the party

unions should keep a strong influence, the party's modernisers feared Mr Smith's silence indicated he was wavering in his commitment to reform. However, advisers insist he believes the spectre of one union delegate at conference holding up a card representing one million votes gives the Tories a powerful weapon.

The review is expected to present a list of options rather than an agenda for change. The list will include the more radical reforms advocated by Mr Smith of exempting the unions from the selection of parliamentary candidates and party leader, and phasing out the unions' block vote at party conferences. It will also list more modest proposals such as different categories of membership and voters, and voting rights in the selection process.

Senior party sources predict Mr Smith will bring forward the decision on whether the party should back electoral reform to prevent the issue overshadowing the run-up to the next election.

He is sensitive to accusations within the party of a lacklustre six months as leader, but Mr Smith is determined not to be saddled with detailed policy commitments until he is within sight of the next general election.

Instead, adopting a more forthright tone, he will attempt to confound critics by

citing his priorities for 1993 as modernising the party machine and espousing his basic beliefs in a series of philosophical speeches. He will try to project Labour as a party which cares about the high achievers as well as the underprivileged.

His advisers believe that in spelling out exactly what he stands for, Mr Smith can exploit complaints about the lack of direction and vision of John Major's government.

New committees are beginning work on policies for the economy, Europe and the constitution. The commission on social justice, chaired by Sir Gordon Borrie, will start to take evidence in January and the Plant commission on electoral reform will complete its work later in the year.

Lord Plant's recommendations are likely to be handed to the national executive in February with early indications that he will recommend a modest move to a proportional representation system of voting for elections to Westminster.

John Smith is sceptical about PR, but he is likely to approve placing the report on next autumn's conference agenda. He is said to worry that agonising on voting reform too near a general election will lay the party open to Tory gibes that Labour believes it cannot win an overall majority under the present system.

Research aims to cut testing on animals

BY NIGEL HAWKES, SCIENCE EDITOR

A BIG reduction in the use of animals for testing drugs will be possible if research in progress at the University of Glasgow succeeds. Dr Paul Skett of the pharmacology department is developing methods of using human liver cells in culture instead of animals to test drugs.

With colleagues in France and Belgium, he has been awarded a £400,000 EC contract for the next stage of the work, which involves preserving liver cells indefinitely by freezing. They have already developed a method for keeping liver cells alive in culture, a problem that had earlier defeated researchers. "The trouble is that the cells tend to forget their origins and become undifferentiated when grown in culture," Dr Skett says. "We have solved that problem by the right choice of growth medium."

Now the team wants to make better use of donated organs by freezing the cells, using a technique developed at the French National Institute for Medical Research. This involves a form of "anti-freeze" to prevent ice forming in the cells and killing them.

So far the French team has made it work with monkey liver cells. The next stage will be human liver cells.

"An individual liver can provide billions of cells, enough for tens of thousands of experiments," Dr Skett says. "We can't use them all at once but if we can freeze them in small quantities we can use them as required." Ultimately, a European liver bank might be established.

The liver, as the organ through which drugs are cleared from the body, is vital in drug testing. Using human liver cell cultures will be cheaper and more reliable than whole-animal experiments. They aim to get the method approved by the European regulatory bodies as an alternative to animal testing. "It is a very cautious procedure and is likely to take a minimum of 15 years," Dr Skett says.

He is confident it will result in a dramatic reduction in animals needed for drug testing. Using unfrozen cells has led to a 90 per cent reduction in the use of animals in Dr Skett's laboratories in the past five years.



Lamont: recession is hiding healthy trends

Decline is myth, says Lamont

BY OUR POLITICAL CORRESPONDENT

NORMAN Lamont, Chancellor of the Exchequer, makes a bullish defence of Britain's manufacturing industry today, insisting that some people are too quick to run the country down. In a foreword to a Conservative research paper, he argues that its figures disprove "self-denigrating myths" about a decline in Britain's production power.

The study says that manufacturing exports rose by 66 per cent between 1981 and 1991, more than in the other six big economies, and that imports of manufactured goods rose by less than in the other countries.

Britain gained far more inward investment than other EC countries, the study says, and manufacturing output grew by 30 per cent between 1982 and 1990.

Mr Lamont says: "The recession has hidden these positive trends from view. A period of reduced demand creates a tough climate for manufacturers in Britain and abroad. But key measures and international comparisons show just how strongly British manufacturing has performed over the last decade and how well placed it is to take advantage of an upturn in the world economy."

Gordon Brown, shadow chancellor, said Mr Lamont had "learned nothing from his failures of 1992".

□ *The Performance of British Manufacturing* (Conservative Central Office, 32 Smith Square, London SW1, £12.50)

Shepherd pushes work skills to cut teenage dole queue

BY PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

MOVES to improve the job prospects of young people are being planned by Gillian Shepherd, the employment secretary, as the government braces itself for unemployment to top three million and go on rising next year.

Mrs Shepherd hopes to bridge the gap between school and work by promoting the status of vocational qualifications and attempting to break down prejudices which imply that they are inferior to academic achievements.

Her aim is to ensure that when Britain emerges from the recession it has a workforce with the necessary skills to take advantage of the available opportunities.

At a strategy meeting involving ministers and senior officials last week, Mrs Shepherd stressed the vital importance of action to follow up the employment-boosting measures of the Autumn Statement and special help for the 16-19 age group. Unemployment among young people is 24 per cent.

In an interview with *The Times*, the employment secretary said there had to be a "determined onslaught" to make sure that the Chancellor's measures to encourage capital investment, boost the housing market and increase the amount of export guarantee funds for industry succeeded. All government departments and agencies would be involved in pressing the measures forward "because all of them mean jobs".

She said the measures were already having some effect, particularly in the car industry with Rover increasing production and Toyota starting up. Measures to help the young acquire practical skills by rationalising the system of vocational qualifications are her priority. In collaboration with the Confederation of British Industry, the National Council for Vocational Qualifications and the government's network of training and enterprise councils, Mrs Shepherd aims to make the system of national vocational qualifications (NVQs) understandable to the public. She wants the qualifications to be

talked about by parents in the way they discuss GCSEs and A levels.

"I have always felt that as a country we have done much to boost academic achievement and help academically gifted children. We have been less clear in our objectives over how we get the best out of the others."

Many economists have spoken of Britain facing a "skills gap" when the recovery begins, with insufficient young people having been trained for the new demands of industry. Mrs Shepherd wants children who may not be suited to A-level study to have the widest possible "menu" of vocational courses.

"One does not want to make change for change's sake, but in an increasingly competitive world we should try to ensure that everyone has the right training and education for the time."

Under the system children can start building up "credits" towards a vocational qualification while at a school and then continue the course at college. Mrs Shepherd said it was wasteful of resources and of teachers' time for pupils who were clearly not cut out for academic careers to spend two years doing A levels that they were doomed to fail when they could be working on vocational courses that would serve them at the age of 18 or 19.

With unemployment standing at 2.9 million, Mrs Shepherd was notably cautious about predicting a fall. Most independent forecasts expect it to go on rising next year because it is a lagging indicator, and the government is doing nothing to counter such expectations.

"One thing seems likely: when the recovery does happen we should see a fairly rapid improvement in the employment situation," Mrs Shepherd said.

Senior ministers accept they will be vulnerable to criticism over the jobs total for some months. Lord Prior, the former employment secretary, said last week that it was "unacceptably high".

Shops boom, page 1

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Military manoeuvres: the MoD considers Eastern options as America buys British

RAF could replace its trusted Hercules with Russian aircraft

By HARVEY ELLIOTT, AIR CORRESPONDENT

THE Royal Air Force could be operating a fleet of up to 100 Russian and Ukrainian built aircraft by the end of the century under plans now being considered by the defence ministry.

As Western manufacturers cut back on new projects and staff because of the recession, former members of the Eastern bloc are stepping up their efforts to break into the commercial and military equipment markets.

A shortage of new and effective Western maritime patrol and transport aircraft has centred attention on the Russian Beriev Be-42 as a potential replacement for the 30 Nimrods now in service with the RAF and on the Antonov An-70T as a successor to the 60 tried and trusted Hercules transports.

Initial scepticism within the defence ministry has been replaced by a growing belief that aircraft from the Commonwealth of Independent States could fulfil the RAF's requirements well into the next century. Not only would they be cheaper than Western competitors, but they could pave the way for British companies such as British Aerospace, GEC-Marconi and Rolls-Royce to win big "off-set" contracts as the CIS modernises its military equipment.

Hundreds of Russian salesmen opened their campaign to win over the RAF during the Farnborough air show last September. They were so successful that the ministry is almost certain to invite manufacturers of the two new aircraft to put in formal tenders early in the new year.

Officials are still concerned that the supply of spares and essential equipment may be interrupted in the event of hostilities and are trying to work out ways of guaranteeing that British companies will have control of all the supply channels.

One possibility is that the RAF buys the airframe but that Rolls-Royce or another Western manufacturer builds and fits the engines, electronics and navigation equipment as well as produces spare parts under licence.

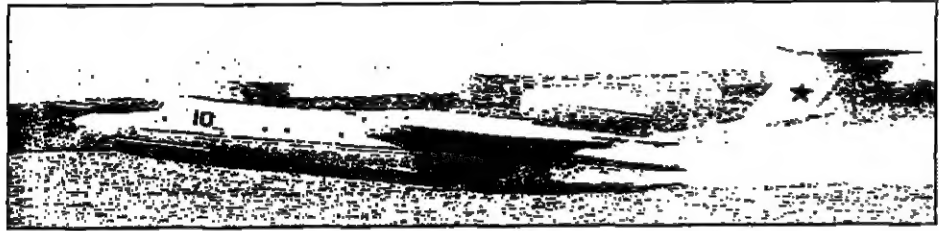
"It is an interesting possibility and one which we are exploring," said a ministry spokesman.

The Be-42, known as the Mermaid, can land on and take off from water, enabling it to act as a fast and efficient rescue craft capable of carrying up to 54 survivors from an accident at sea. Its main role, however, is as a long-range patrol aircraft able to stay aloft for many hours while scanning the sea with radar, laying mines or hunting submarines.

The competitors include the Lockheed P-3 Orion and the French-made Dassault Atlantique.

A prototype An-70T is being built in Kiev. Powered by four revolutionary "propan" engines, it will be capable of carrying up to 66.135lb either as cargo or as troops.

Few Western aircraft can match its versatility and only a development of the C-130 Hercules, the McDonnell Douglas C-17 and Eurolog, a European joint project still on the drawing board, are likely contenders to replace the existing Hercules fleet from 1996. The ministry has already shown interest in buying the Kamov Ka-50 Hokum attack helicopter.



The Mermaid: Russia's Beriev Be-42 can take off from and land on water

THE ALL ACTION LAND ROVER



Land Rover leads world with US order

By MICHAEL EVANS, DEFENCE CORRESPONDENT

A NEW British all-action military vehicle designed for special forces operations behind enemy lines has so impressed the US army that an order has been placed for 48 of them.

The new vehicle, built by Land Rover in Solihull, West Midlands, has been designed to carry a range of weapons that includes Stinger missiles, 81mm mortars, 40mm grenade pistols and 7.62mm

heavy machineguns. The special operations vehicle (SOV) has been ordered for the US Rangers and is the successor to the firm's dune buggy light strike vehicle, called the Pink Panther, which was used by the SAS behind Iraqi lines in the Gulf war.

Land Rover won the contract against fierce competition from American and German firms. Like the Pink Panther, the SOV has been designed to make its six-man

crew self-sufficient for long periods, with survival packs and a fuel tank capacity to travel 450 miles.

The US Rangers chose the Land Rover because it is light enough to be carried by Chinook helicopter as well as in a C-130 Hercules transport aircraft. It can also be dropped by parachute. Military sources said it was ideal for rapid reaction and special forces units.

Based on Land Rover's Defender 110, the SOV's 3.5 litre V8 petrol injection or 2.5 litre turbo-charged diesel engine gives it a top speed of 100mph.

However, one of the principal selling points for the US army was its weapons capability. The position for the main gunner at the rear can take a 30mm cannon, a 40mm grenade launcher or a 0.5mm machinegun.

Fittings at the side can take Stinger anti-aircraft missiles and mortars. There is also

storage on the bonnet for ammunition, stun grenades and mines.

The vehicle is not armoured plated to protect the crew, but it has been designed for quick evasion and travel by stealth. The front grille incorporates infra-red lighting, and navigational and communications equipment is fitted between the driver and the front passenger.

Land Rover's success with the American sale follows the Ministry of Defence announcement that Land Rover has won a contract to supply Defenders for trial as the next generation of British armed forces' light and medium four-wheel drive trucks.

The Defender was the only vehicle to be selected for trial after more than 20 companies worldwide entered bids. The defence ministry is in the market for 6,500 vehicles over five years starting in 1994 and Land Rover is hopeful of winning the order.

Car thief talked into submission

A woman talked a thief into returning her car when she dialled the mobile phone inside. Janet Smith left the Ford Sierra parked while she dashed in to collect her niece Dawn Morgan, who had gone into labour on Christmas day.

While Mrs Morgan's husband tried to start their broken-down car, her aunt dialled the mobile phone. Mrs Smith, 52, a sales representative from Hereford, said: "He told me that he'd had a very hard life and had been let down a lot. I told him that stealing my car wouldn't solve anything and he agreed to stop and park the car. He even wished me a merry Christmas."

Police recovered the undamaged new car in Gloucestershire. Mrs Morgan, who was eventually driven to hospital by her husband, gave birth to a boy.

Murder charge

David Mangan, 25 and unemployed, was charged with the murder of a hotelier on the Isle of Wight. John Sava, 43, was stabbed three times at the Metropole Hotel, Ventnor, on Boxing day. Mr Mangan, of Shanklin, was remanded in custody by magistrates until next Monday. There was no application for bail.

Fire deaths

An eight-year-old boy died in a fire at his home in Clapham, south London. His parents and brother are in hospital recovering from burns and smoke inhalation. A woman died after a blaze in Shore-ditch, east London. Three other people were rescued.

Poachers at bay

Marines have volunteered to help to protect 600 red deer in the Quantock Hills from poachers. Police and the Forestry Commission are also guarding what is one of Britain's last wild herds.

Prison suicide

A man found dead in a cell at Bullingdon prison, Oxfordshire, is believed to have strangled himself. David Fradley, 28, of Banbury, was awaiting trial on charges of arson and criminal damage.

Customs patrols spread the net to catch drug barons

By IAN MURRAY

THE opening of the European Community's internal frontiers has forced the pace for radical change in the way Customs and Excise tracks down drug smugglers, pornography dealers and gun runners.

As an island, Britain has always mounted its main defences against contraband at ports and airports. Almost 80 per cent of all narcotics seized by the authorities are found at frontiers and 62 per cent is brought in from or through another EC country. Dover customs is alone responsible for half of the drug seizures.

Britain has fought off EC attempts to make it abandon all border checks. Instead of the old "rugby scrum" of officers waiting to stare at all arrivals, there will be what is termed "light touch surveillance". This means that an officer watches all arrivals discreetly and can stop and search any suspect individual or vehicle behind a screen.

Over the past couple of years, the British service has been increasingly extending its intelligence contacts and operations worldwide in readiness for the new EC regime. Regular links with drug enforcement agencies in Europe, South and North America and the Far East have been established to exchange details about smuggling routes and methods.

In addition, freight carriers, coach companies and other



international operators are finding it in their interest to tip off the authorities about any suspicions. "The more they help us, the less delay there is to them," one officer said. More customs officers are also going undercover.

Some passengers or vehicles stopped by the new system will be those who fit one of the "profiles" of likely smugglers that have been drawn up by the service over years of experience and are now on computer. Details of these profiles are a closely kept secret.

Suspected carriers are increasingly being allowed to travel into the country and followed to their delivery point. "That way we catch the whole gang instead of just a driver, who usually knows very little about the drug ring," a senior officer said.

Good intelligence also means that individual ships or flights will be selected for a comprehensive search. Groups of officers are being

turned into what are called Fast (Flexible Anti Smuggling Teams), who will be ready at a moment's notice to swoop on a port or airport.

For the average traveller, however, the end of customs formalities mean an end to worrying about whether it is worth trying to smuggle in that extra bottle of brandy. The red lane will disappear and it will be legal to bring in as much alcohol and tobacco as a car or coach could legally carry. The only restriction is that each traveller must personally use everything he brings in.

As a rough guide the EC has approved "indicative levels" of what one person can reasonably be expected to consume. These levels ought to be sufficient for the thirstiest. Each passenger is allowed ten litres of spirits, 20 litres of port or sherry-like drinks, 90 litres of wine, including 60 litres of champagne, plus a further 110 litres of beer. Anyone able to convince the authorities that he or she can personally use more can bring it in. Anyone who tries to sell alcohol will be liable for criminal prosecution. Teams will be touring the country to check on this kind of infringement.

Customs is hopeful that the new regime will be at least as effective as the old. "We feel we have got a better use of our resources to go after criminals than using men trying to stop one granny with an extra half bottle of brandy," one officer said.

Police look to Caribbean link

By STEWART TENDLER, CRIME CORRESPONDENT

BRITISH diplomats and American federal officials are discussing plans to set up a team of British detectives in Florida to investigate the use of Caribbean Crown dependencies by white collar criminals.

The small team, which would include a fraud expert, could concentrate on areas including money laundering for drug cartels, offshore tax havens for Americans, fraudulent

banks or insurance companies and other criminal operations based on the offshore financial communities in the five dependencies. Miami offers the best communications links for the Caribbean and the FBI has a large field office in Florida.

The Americans have been seeking action because of fears that the Turks and Caicos Islands, Anguilla, Montserrat, the Cayman Is-

lands and the British Virgin Islands could become half-way houses for money laundering by South American drug cartels. There is also anxiety about the use of the islands as a base to operate multi-million dollar frauds in the United States.

There is no link yet between the Americans and any of the five colonies. A British unit would help liaise with the police forces in the dependencies.

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CFC phase-out endangers thousands of businesses

■ The speeding up of measures to tackle global warming could leave traders out in the cold on Britain's high streets

By MICHAEL MCCARTHY
ENVIRONMENT CORRESPONDENT

HUNDREDS of thousands of high street shops and businesses may face severe difficulties over the next two years because of the accelerated phase-out of chlorofluorocarbons (CFCs), the chemicals that have been destroying the Earth's protective ozone layer.

New supplies of CFCs, hitherto essential for refrigeration and for some forms of dry cleaning, will be cut by 85 per cent throughout the European Community in the next 12 months, and will have disappeared completely by the end of 1994, in an international timetable that has been speeded up twice in the last five weeks, and has largely passed unnoticed by businesses.

Existing CFC stocks can still be used after the phase-out date, so the 30 million domestic refrigerators in Britain can continue for the rest of their natural lives. But new supplies will disappear, mainly affecting commercial refrigeration servicing. From now on pubs, clubs and hotels, supermarkets and off-licences, butchers, fishmongers and grocers may find that the chemicals necessary to service their present CFC-based refrigeration systems are suddenly no longer available as demand rapidly outstrips supply.

Breakdowns in fridges, display cabinets and cold stores may be irreparable. To continue, operators will have to buy new non-CFC systems, which will not only be expensive but may not be quickly obtainable because of the demand. Refrigeration industry leaders fear that businesses may founder.

More than 250,000 pubs and other catering outlets will be affected, with over 150,000 small shops and nearly 6,000 supermarkets, yet only the large supermarket chains realise the scale of the difficulty and are making plans to deal with it, according to Richard Alger, president of the British Refrigeration Association. "Smaller retailers seem to be blind to an enormous problem which is now right on their doorstep."

Mr Alger is calling for a national campaign of CFC-recycling and leakage prevention to conserve stocks and prevent escape of the ozone-damaging chemicals into the atmosphere pending the gradual introduction of ozone-benign substitutes such as HFC 134a, developed by ICI.

Nearly three-quarters of the CFCs supplied annually to the British market, more than 4,000 tonnes, goes to replacing leaks. Twenty per cent of all the CFCs in British commercial refrigeration systems leak every year.

Dry cleaning, in which CFCs are widely used as solvents, will also be affected by the phase-out. Although large chains such as Sketchley can cope with the multi-million pound expense, hundreds of small independent firms may face bankruptcy because of the £30,000 to £40,000 cost of buying new CFC-free machines. Other sectors of industry once dependent on CFCs, such as aerosol manufacturing, foam blowing and electronics cleaning have already found substitute chemicals or systems.



Timid beauty: despite its return to the cleaned-up river Torridge in Devon, visitors are unlikely to catch a glimpse of the elusive otter

Otters flourish in Tarka's old haunt

By ROBIN YOUNG

THE river that was the setting for the best-selling book *Tarka the Otter* has been declared safe for otters once more.

The animals have repopulated 80 per cent of the catchment area of the river Torridge in north Devon, including some places where they have not been seen for many years, according to the Tarka Project, which includes Devon County Council, four district councils and several wildlife conservation groups.

There had been fears that pesticides and pollution might eliminate otters from the Torridge as they have done from most of the country. North Devon is the sleek and shy animal's last stronghold in England. Populations survive in other parts of the West Country, in Northumberland and in Scotland and Wales, but only about 15,000 otters are believed to be left in Britain.

Henry Williamson wrote

Tarka in 1927 and the book has run to some 40 editions since without going out of print. Otters are believed to have survived in Tarka country because of the number of hideaways provided by the river valleys, despite the fact that the local human population has almost trebled since Williamson's time.

Ten years ago, the South West Water Authority admitted that stretches of the Torridge were heavily polluted. It was described by local conservationists as "dead and septic". Drought and pollution scares have threatened the otters with sudden extermination on several occasions since.

Despite an intensive anti-pollution campaign in which the water authority co-operated with the National Farmers' Union and the Country Landowners' Association to visit more than 1,000 local farms promoting pollution control and waste management, it



was claimed earlier this year that a seventh of the Torridge area's otters were so poisoned with chemicals that they were incapable of breeding.

A recent assessment by the Tarka Project has declared the Torridge's otter population healthy and thriving. Steve Cramm, project officer, said

that signs of otter population, such as droppings and river-bank mudslides, had been found in a number of sites, and even sightings of the animals had increased.

The otters' improved prospects are being welcomed in the area, which calls itself Tarka Country and has a

180-mile Tarka trail and a Tarka railway line (the British Rail service between Exeter and Barnstaple). It is doubtful, however, if visitors would ever glimpse one of the elusive animals in the wild as they are so timid.

Leading article, page 13

The way it isn't

CRAIG BROWN



Next Year In Full

Part II
March 2: Michael Winner films *The Tales of Beatrix Potter*. "It follows Beatrix Potter's vision to the letter," he says, announcing Charles Bronson as an angry Jemima Puddle-duck, hellbent on revenge.

March 12: Lord Tebbit calls for closer party unity on Europe, "and that includes all those lily-livered idiots who have been fooled by Maastricht".
March 15: After further cuts and delays, the British Library finds a new home, a converted two-car garage in Ealing. "More intimate surroundings with scaled-down choice for greater selectivity will greatly aid the general reader," explains the heritage secretary, Peter Brooke.

March 19: Sinead O'Connor scandalises the rock world by appearing live on stage, singing a selection of songs and departing with a bow and a "Thank you".

March 24: Tina Brown is appointed as Worldwide Mother Superior of the enclosed order of Ursuline nuns. "I have a strong respect for the Ursuline tradition and I don't plan to change it," she says, "but in this day and age it's ridiculous that so few of them are going to discos, buying the latest videos and generally letting their hair down."

April 9: The Archbishop of Canterbury calls for greater Christian understanding towards the Devil. "Let's spare a thought for poor old Satan," he says. "He may not be such a bad bloke — after all, I've heard he's a keen Arsenal supporter. Pass the ukulele, there's a lad."

April 15: Gerald Ratner gains a new job as the manager of a fish farm. "It's total carp," he explains.

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Muslims mass troops to break Sarajevo siege

By Our Foreign Staff

BOSNIAN Muslims are massing troops and weapons outside Sarajevo for a "major offensive" aimed at breaking the Serb siege of the city, Fred Eckhard, the spokesman for the international peace conference in Geneva, said yesterday.

In Sarajevo, which is nearing nine months under siege and enduring a lack of running water, electric power, telephones and adequate food, there were indications that government forces were fighting back with increasing success against the rebel Serbs. A British spokesman in Vitez said intelligence sources in central Bosnia spoke of a push by the Muslims and Croats in the past two weeks which had forced the Serbs back by up to 12 miles.

Mr Eckhard said that the UN protection force in Yugoslavia has been reporting a "significant build-up in gov-

Bosnia's government is trying to regain lost land before Saturday's peace conference in Geneva. The UN fears that more heavy fighting will cancel any progress made

ernment personnel and arms on the Igman mountains surrounding Sarajevo. The concern is that there may be a major offensive in preparation by the Bosnian government to try to regain lost territory, or possibly even to try to liberate Sarajevo.

He was speaking during meetings between representatives of the Bosnian factions and other leaders from the former Yugoslavia with Lord Owen and Cyrus Vance, the conference co-chairmen, and Boutros Boutros Ghali, the UN secretary-general.

On Saturday, Bosnia's three factional leaders — Muslim President Izetbegovic, Mate Boban for the Croats, and Radovan Karadzic for the

Bosnian Serbs — are due to have their first meeting in Geneva. The aim of the peace conference is to find a negotiated settlement to the war and not a military solution, Mr Eckhard said. "The importance of keeping hostilities down, to help create a constructive atmosphere for Saturday's meeting, cannot be over-emphasised."

The Geneva meetings of the past few days had given the peace talks a fresh impetus, Mr Eckhard said. "What has been going on here has been fairly extensive as far as laying groundwork for a political settlement. Now it is hoped that in the next few weeks the parties will have a chance to do something on the basis of the

groundwork that is there for an agreement, seize it, run with it."

Snow fell round the central Bosnian town of Vitez yesterday, raising fears that the onset of winter could hinder the flow of aid to refugees in the region. It was the first time this winter that snow had stayed on the ground, but except on high or exposed ground it was only two inches deep. There were no immediate reports of difficulties in bringing relief convoys into the area, which has so far enjoyed unseasonably mild weather.

The first UN military forces to be deployed in Macedonia arrived in the former Yugoslav republic yesterday. The 33 Canadian troops, led by Lieutenant Colonel Thomas Gephart, are the first of 150 Canadians who will be on guard in Macedonia until a full mixed Scandinavian battalion is deployed there in mid-February. The troops were from a Canadian battalion previously intended to be deployed in Banja Luka, the Serb headquarters town in northern Bosnia. After weeks of fruitless negotiation, the UN last week abandoned its efforts to go there.

The UN troops were invited in by Kiro Gligorov, the Macedonian president, in case the tension in other parts of the former Balkan federation spills over into his republic. Macedonia has remained peaceful but it fears being drawn in if violence breaks out between Serbs and ethnic Albanians in neighbouring Kosovo. Albania, another neighbour to the west, has pledged it would send forces to help the Albanians, and Macedonia would be its likely route. United Nations civil affairs personnel and one military observer, all unarmed, have been in Macedonia since December 15.

Rome Cardinal Angelo Sodano, the Vatican secretary of state, said in an interview published yesterday that legitimate defence "to disarm the aggressor" in Bosnia now appeared to be necessary. Cardinal Sodano, who ranks second to the Pope in the hierarchy of the Vatican, hinted that the Holy See would support action to stop the violence. (Reuters)

Bush warns Serbs, page 1

City's icy shroud envelops first elderly, then young

FROM JOEL BRAND IN SARAJEVO

A THIN layer of snow blanketed Sarajevo yesterday as a UN official said that elderly people in the city were dying because of the lack of fuel for heating. The official said that children would be the next group to die.

The temperature yesterday morning was -7C — up four degrees from Sunday morning. In a city without heating and with few windows left, there is little difference between temperatures inside many buildings and those outside. Sarajevo's overworked gravediggers are having difficulty because the ground is frozen.

The city's trees have been decimated by Sarajevans looking for fuel to keep them alive. Once verdant parks are now full of tree stumps. Abandoned and shelled buildings are being picked over by women, children and elderly men scavenging for firewood. In the city, enough

wood to heat one room for a month costs about £75, seven or eight times an average monthly salary.

Magdalena Mitasevka, 34, a biochemist, lives 100 yards from a front line near Hero's Square, newly renamed in honour of all those killed protecting the community from Serbs on the hill to the south. Like all Sarajevans now, she has no electricity and no water. Her candles were used up long ago. Ms Mitasevka was lucky enough to be able to afford a small wood stove made out of thin aluminium. But her salary is not even enough to buy bread each day, and wood is out of the question. "We break up our own furniture and we use that," she said.

On another front line two elderly people a day have been dying of hypothermia for the past four days in an old people's home. The home is just on the Serbian side of

the front line to the west of Sarajevo and its remaining 114 Serb, Muslim and Croat residents live in below freezing temperatures.

Fifty of the residents are totally bed-ridden. Thirty-five people have died in the home in the last two months, but in recent days, as temperatures have dropped, the rate of deaths has increased. "This is just an example of what we will begin to see in many areas of Sarajevo," said Peter Kessler, a spokesman from the United Nations High Commissioner for Refugees.

Shell and sniper fire, though relatively light in recent weeks, still claims Sarajevans. On Monday morning 50 family and friends gathered at what was once a football field to add four more wooden grave markers — there is no more stone — to the sea of markers spreading across Sarajevo's open spaces.



Winter watch: Ranger Andy Rainnie, of Ballymena, on guard at the British base in snow-covered Vitez



US and Russia strive to reach nuclear deal

FROM JAMIE DETTMER IN WASHINGTON AND JOHN PARRY IN GENEVA

NEGOTIATIONS in Geneva between America and Russia on a treaty to reduce their long-range missile stocks hit a last-minute snag yesterday and continued into an unexpected second day.

President Bush would like his last days in office to be marked by an arms summit with President Yeltsin, and in recent days he has told the Russian leader that his administration is prepared to be flexible in relation to objections raised by Russia's generals over the second Strategic Arms Reduction Treaty (Start II). Last night American officials insisted that the text of the treaty would be finalised today by Lawrence Eagleburger, the US Secretary of State, and Andrei Kozyrev, the Russian foreign minister. The two men were last night discussing final details over dinner.

After the morning session of talks, Mr Kozyrev had said: "I'm ready to bet a bottle of whisky that our talks this morning laid the foundation for an agreement which our presidents can sign within the next few weeks." But unexplained snags apparently arose in the afternoon session: a press conference was called off, and the two men decided to dine together to try to put the talks back on the track.

According to State Department officials, the sides are close to a final text on a treaty that would lead to the abolition of the most destabilising class of nuclear weapons — land-based intercontinental missiles equipped with multiple warheads. Start I, which was finalised last year, provided for the reduction of the nuclear arsenals of America and the former Soviet Union by 30 per cent. The Start II negotiations envisage a further 70 per cent cut. If the talks succeed, Mr Bush could meet Mr Yeltsin next week in the Black Sea resort of Sochi to sign the treaty.

The differences between the arms negotiators have been in three main areas. Initially, the Bush administration wanted all silos housing Russia's heavy SS-18 missiles to be destroyed, as well as the missiles themselves. The Russian

military has insisted that they cannot afford to destroy the silos, which, they say, will be useful to store other weapons. The Russian military have also pressed for an agreement whereby the mobile SS-19 missiles, which are armed with six warheads, can be saved by converting them into single-warhead weapons.

The Americans want to save the B-1 and B-52 bombers, which currently carry nuclear weapons, and convert them for conventional use. Mr Eagleburger indicated at the weekend that the Bush administration was no longer insisting on the destruction of all SS-18 missile silos and that it would also be prepared to allow a certain number of SS-19s to be converted to single-warhead missiles.

America and the former Soviet Union have about 10,000 strategic nuclear weapons each. Under Start I that total drops to 8,600 for the America and 6,500 for the former Soviet states of Russia, Belorussia, Ukraine and Kazakhstan. Under the proposed Start II, the total is further reduced to 3,500 for America and 3,000 for Russia. The new treaty would also stipulate that all former Soviet missiles would have to be deployed in Russia alone.

"President Bush is trying to leave a legacy of some positive accomplishments," said Stan Norris, a strategic arms control academic. "This treaty would be a capstone to his foreign accomplishments."

Mr Yeltsin is also keen to refurbish his image at home and abroad. He is eager to have the treaty signed before Mr Bush leaves office, aware that the incoming Clinton administration would be in no position to conclude a big arms negotiation quickly.

Moscow: Russia plans to sell 88 lb of plutonium-238 to America in the first deal of its kind, Georgi Kaurav, an official of the nuclear energy ministry, said yesterday. Mr Kaurav said America would use the plutonium to see if radioactive materials could be used to generate electricity in space. The isotope is used in nuclear power plants. (Reuters)

Czech divorce hits snag on alimony

FROM GERARD DAVIES IN PRAGUE

THE final divorce settlement of Czechoslovakia is running into last-minute difficulties over alimony. The two republics are officially to end their 74-year marriage on Friday.

A number of laws have been passed but questions remain over the division of property, finance and citizenship. A commission has been set up to deal with the problems expected after January 1, but they are unlikely to result in any amendments to last month's law, which automatically dissolves all federal institutions at midnight on Thursday.

Vaclav Klaus, the Czech prime minister, cancelled appointments in Prague yesterday to extend his stay in Bratislava, where he had been holding talks with Vladimir Meciar, his Slovak counterpart, and the chairmen of the federal and the two national parliaments. Last night they were all trying to play down the difficulties.

Both sides are keen to conclude proceedings as soon as possible, to start with a clean slate from the new year. Agreements have been reached on defence and many aspects of the economy, as well as employment and transfer of social security. The national anthem has been split, and the Slovaks have grudgingly agreed to let the Czechs keep the former federal flag. A customs union has been signed and four new Czech customs houses are being built on the Slovak-Moravian border, where many villagers will need their passports to go shopping, visit public houses and churches, and catch the bus or train.

A number of issues look unlikely to be resolved in time. Dividing the assets of the state bank is not proving easy. Responsibility for debts to Libya, Cuba and Egypt has also to be ascertained.

During a televised debate on Sunday, both prime ministers put on a brave face, toasting the future and pledging to make bilateral relations their foreign policy priority. Mr Klaus said that the new diplomatic missions in Bratislava and Prague would be given the status of ministries. Unemployment in Slovakia



stands at 12 per cent and — with its dependence on out-moded heavy industry — looks set to rise significantly. Mr Meciar, who has denied slowing down the process of economic change, said that Slovakia would pull out of the controversial privatisation voucher scheme.

About 300,000 Slovaks are married to Czechs and, given the fears many have about life in independent Slovakia, all are likely to seek Czech citizenship. Slovakia has agreed to dual citizenship but the Czechs will set a limit and are insisting that applicants must first give up Slovak nationality.

Differences of opinion also remain over the future of 7.5 tonnes of gold which Slovakia handed over to the federation after the war. Mr Klaus wants Slovaks to buy it back, and some Jews claim it was stolen from them anyway. The law on division of federal property was passed last month, laying down ownership according to the territory on which a building stands. Financial compensation has still to be agreed.



Klaus, putting a brave face on differences

Bundestag to question Mollemann

Bonn: A German parliamentary commission is to study allegations that Jürgen Mollemann, the economy minister, has misused his influence to further private interests, a spokesman for the lower house of parliament said.

The economic commission of the Bundestag will hold an extraordinary meeting at the beginning of January, the spokesman said. The opposition Social Democrat party has called for the meeting to be held on January 4, which would require the minister to cut short a holiday in the Dominican Republic by two days. (AFP)

Border clash

Moscow: Russian border troops killed six Afghans and took one prisoner after 20 armed Afghans tried to force their way across the border into Tajikistan, a military spokesman said here. It was not clear which side opened fire first. (Reuters)

Burger record

Warsaw: A McDonald's hamburger restaurant in Katowice achieved record sales for the group on the day it opened by serving 35,000 customers, the company announced. It said this was more than the daily sales figures in either Moscow or Peking. (AFP)

Plea fails

Assen, Holland: A Dutch court threw out an appeal by the Nazi collaborator Jacob Luigens, who was deported from Canada last month, ruling that he must serve a 1948 sentence of life imprisonment. Luigens, 73, was jailed in November. (Reuters)

Exam stinker

Oslo: An astrophysics student aged 39 who lives in a cave near Oslo University has been ordered by a court to wash and dress properly before entering the campus to take his exams. He had been barred from exams because of his body odour. (Reuters)

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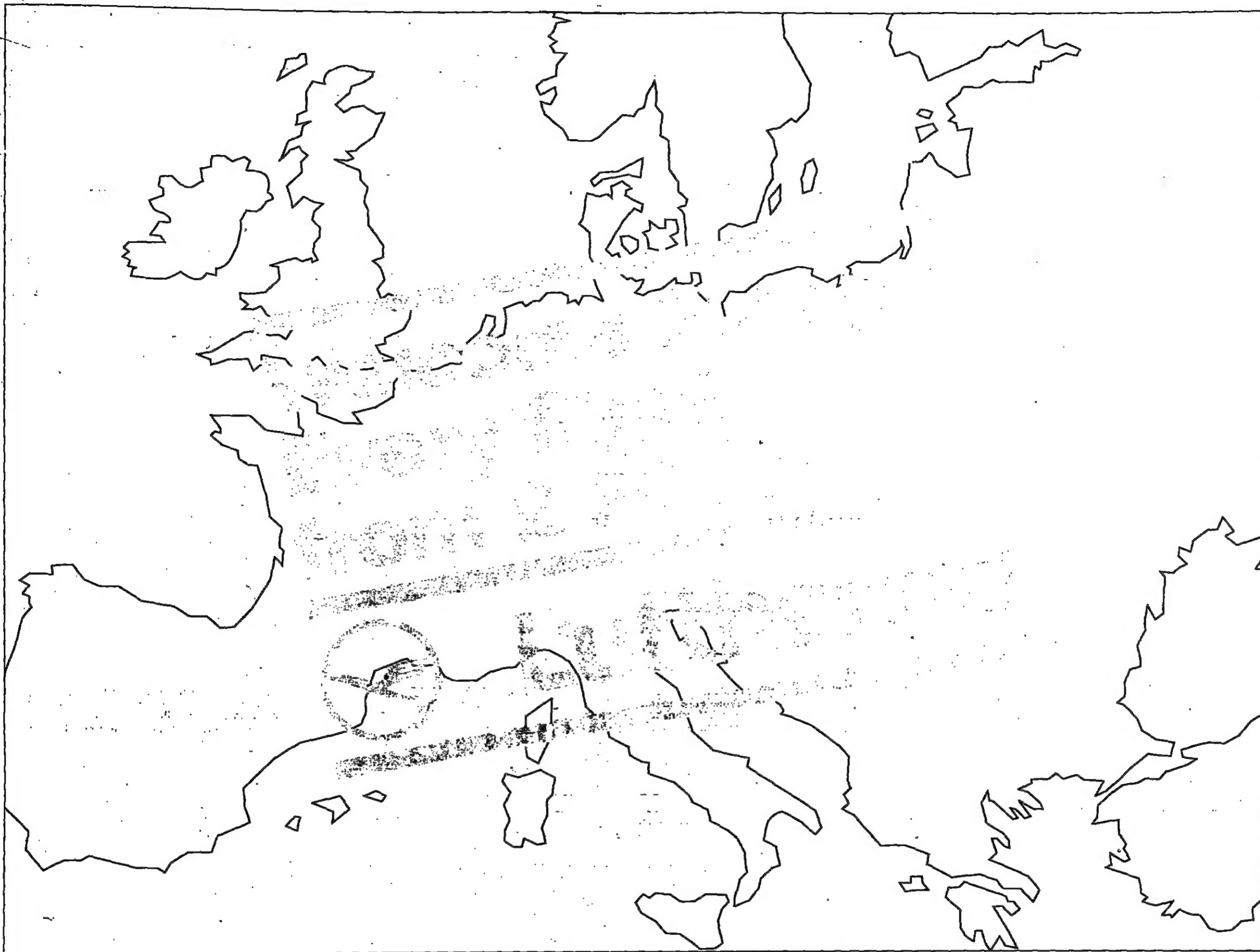
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Rally signals end of Somali fighting as warlords embrace

■ As barriers are lifted and 10,000 people in Mogadishu rejoice, national reconstruction is the men of war's proclaimed objective

By SAMIR DOUAHY OF AGENCE FRANCE-PRESSE IN MOGADISHU AND OUR FOREIGN STAFF

THE leaders of Mogadishu's two warring factions embraced before 10,000 of their jubilant countrymen yesterday and proclaimed an end to Somalia's two-year civil war.

As General Ali Mahdi Muhammad and General Muhammad Farah Aidid, the capital's rival warlords, united in a peace move, thousands waving branches celebrated the dismantling of the "green line" war boundary dividing the battered city. "It's the happiest day of my life," Abdel Nour Said, 27, said. "We have had enough lessons from the civil war," another resident said as the two leaders, smiling broadly, shook hands to the crowd's applause. Boys scrambled into trees for a better view and chanting women in gaudy headscarves urged the sides to unite. "We don't want any more guns or fighting," one smiling participant shouted.

The two leaders, the heads of rival wings of the United Somali Congress, demonstrated their reconciliation at the



public rally called to express their commitment to the American-brokered peace accord reached at the weekend. Shortly before the rally, the US Marines had shot dead a Somali in a clash near the airport.

Thousands of Somalis had massed outside the parliament building where General Aidid arrived first, followed a few minutes later by General Ali Mahdi, the interim president.

As the general helped his once sworn enemy onto the platform, the crowd went wild, clapping, dancing and singing for joy. Hand in hand, the leaders called for unity in a nation that had descended into bloody anarchy, leaving tens of thousands dead from starvation and disease since the overthrow of Mohamed Siad Barre, the former dictator, in January 1991.

In separate speeches built around a single theme, the two leaders pronounced an end to their conflict and spoke of reconstruction and rebirth. There were moving scenes as inhabitants who had been separated during the strife found each other again for the first time.

All the physical barriers which had kept certain districts and key access roads inaccessible since fighting engulfed Mogadishu in November 1991, were coming down. An Agency France-Presse journalist at the scene said the green line, a free-fire zone that had divided the city between

the north, controlled by General Ali Mahdi's men, and the south, by General Aidid's partisans, was now passable without military escort.

Mecca Avenue, which had been closed since the conflict reached the capital and had come to symbolise the gulf between the two camps, was reopened to traffic. Demonstrators who were making their way to the rally had been able to use it.

In the virtual absence of mass communication in Mogadishu, a peace march along the green line was judged the most effective way of informing the population of the

weekend accord and of the two leaders' willingness to work for its implementation. As the demonstration got under way, American marines — members of a United Nations-mandated international force to restore order — were patrolling the streets of north Mogadishu for the first time since they landed on December 9.

Lieutenant Colonel Steve Ritter, for the marines, said the new patrols would be out day and night searching for heavy weapons belonging to renegade bands not aligned with either of the two main factions. An American source said at least two temporary

operations bases would be set up in north Mogadishu.

In the incident at the airport, a marine guard shot dead a Somali gunman as he fled with a camera stolen from a British television crew. The crew from the cable network Visnews was accosted outside the airport by two gunmen. One held a pistol to the head of Jimi Matthews, the cameraman, while another took the camera. One was killed as he fled, but the other managed to escape. Leon Malherbe, a soundman, was cut in the elbow by shrapnel. Mr Malherbe and Mr Matthews were shot at, but not hurt, three

days ago, as they drove from the airport into town. The next day Mr Malherbe was cut by a child with a razor at the port entrance.

American and French troops have killed at least five Somalis in clashes since the task force began arriving in Mogadishu. The past few days have seen a spate of attacks at the airport and harbour, both heavily secured by the task force.

In north-central Somalia, 400 American and Canadian troops landed yesterday in the bush town of Belet Huen, securing the final link in the humanitarian network to feed

the country's starving. Belet Huen was the last of eight towns within Somalia's famine belt to be targeted for joint military force support.

Chief Warrant Officer Eric Carlson said the troops began landing in transport helicopters shortly after dawn and encountered no resistance. He said helicopter flights bringing aid workers and food shipments would land to set up a distribution grid. Colonel Ritter said the strength of the American-led force in Somalia and on board ships offshore last night was 23,000, with a target of 28,000 by the first week in January.



Newfound allies: Ali Mahdi Muhammad, right, and Muhammad Farah Aidid, rival Somali warlords, join hands at a Mogadishu unity rally

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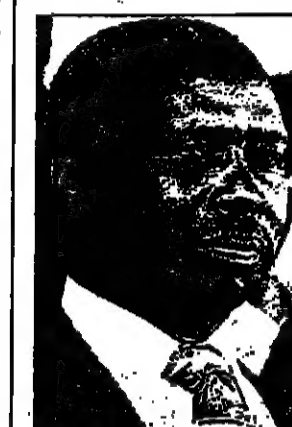
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Moi: human rights record under fire

Election victory scented by Moi

FROM SAM KILEY IN NAIROBI

FIGHTING between parliamentary police and opposition supporters erupted in the town of Nakuru in Kenya's Rift Valley yesterday, leaving at least 100 injured, as tension increased before polling to-day in the country's first free elections in 26 years.

Raila Odinga, a candidate of the Forum for the Restoration of Democracy-Kenya, said 500 people had been arrested. Foreign observers and *The Weekly Review*, an influential journal, say President Moi is likely to win. The magazine predicted that he would win a third of the votes against 24 per cent for his closest rival, Mwai Kibaki, of the Democratic party. It also said Mr Moi would win at least 25 per cent support in six out of Kenya's eight provinces. He needs to take at least five provinces.

Mr Moi's Kenyan African National Union (KANU) became the only legal party in 1982, and he is accused of presiding over a worsening human rights record and corruption. It is believed that had the opposition parties put up a single candidate, Mr Moi would have been defeated outright. Kenneth Matiba is expected by the journal to win 21 per cent support with his Ford-Asili party, and Jaramogi Oginga Odinga of Ford-Kenya to take 20 per cent. Thus opponents of Mr Moi would take 65 per cent. If no candidate gains 25 per cent in five provinces, the candidates with the most votes will go into a run-off, which the opposition could well win.

With results coming in against a background of tribal conflict and opposition claims of electoral malpractice, the coming week is expected to be marked by violence. British and other foreign nationals have been advised by their embassies to stock up on food and stay home.

Goldstone urges role for foreign police

Johannesburg: A call for the stationing of international police observers at selected police stations in Natal and in the black homeland of KwaZulu was made yesterday by the Goldstone commission (Michael Hamlyn writes).

According to the third interim report of the commission, which, under Mr Justice Richard Goldstone, is enquiring into violence and intimidation, the presence of the observers would lessen fears of unfair treatment. There are a number of international police officers in the country, including those attached to the Goldstone commission under Commander Tom Laidlaw of Scotland Yard. A number of other policemen form the majority of the corps of observers sent by the European Commission.

Bomb hurts 20

Lima: Maoist guerrillas detonated a car bomb outside the Japanese embassy, injuring 20 people. It was the latest in a series of embassy attacks by the rebels, whose defeat President Fujimori has made a top priority. (AP)

Troops leave

Johannesburg: The Angolan opposition movement Unita says it has withdrawn its troops from two towns in the north that it had occupied since November. The move comes in the wake of peace talks last weekend. (Reuters)

Death sentence

Algiers: Abdelwahad Bencherouf, a former comrade of Algeria's first president, Ahmed Ben Bella, was sentenced to death for "attacking state security" and possessing chemical weapons with which to poison reservoirs. He was arrested in 1989. (Reuters)

Fallen heroes

Taipei: Three Chinese defectors, feted as heroes when they fled to Taiwan in the 1980s, were sentenced to death for kidnapping and murdering a local businessman. The three were apparently desperate for money after losing badly on an investment. (Reuters)

Miners laid off

Peking: China will sack some 30,000 coalminers next year in one of the first publicised mass lay-offs in its campaign for faster economic reform, the official China Daily reported. The move is aimed at restoring profitability. (Reuters)

Going flat out

Manila: A group of Filipino cultists, saying they were acting on God's command, created huge traffic jams here by blocking vehicles' tyres during the evening rush hour as motorists stopped at traffic lights. (Reuters)

Kurds and Shias fear they will be target of Saddam's wrath



Saddam: Kurds say UN played into his hands

ANDREW FINKEL IN ISTANBUL
AND MICHAEL THEODOULOU IN NICOSIA

THE "no-fly" zone imposed over north and south Iraq has brought little relief to President Saddam Hussein's victims. In the north, Kurdish leaders say he has intensified a war of attrition to force his way back into their haven. In the south, Shia Muslims say artillery bombardments, mass arrests and house demolitions continue to make their lives miserable.

Some Shias are concerned that the shooting down of an Iraqi MiG south of the 32nd parallel on Sunday could increase the Iraqi leader's wrath towards them. "He is too weak to retaliate against America, but he'll take it out on us," said Walid Muhammad of the Al Dawa party.

North of the 36th parallel, Kurds say that Baghdad is tightening a military and economic blockade designed to persuade them that their hardships are too high a price to pay for quasi-independence.

After the no-fly zone was introduced on August 27, Saddam changed tactics and used armour, artillery, and infantry to maintain control over the area south of the 32nd parallel, home to most of Iraq's Shias, who comprise 55 per cent of the population.

Dr Muhammad said: "The ban at least ended the attacks by helicopter gunships, but since then the Shias have been under constant artillery shelling. Saddam's Republi-

can Guards and plainclothes security men have arrested thousands and killed hundreds. They're also demolishing houses. The situation is worst in the cities - Basra, Nasiriyah and Amarah."

Baghdad has curbed supplies to the south. While this is not as severe as the embargo on the Kurdish north, Dr Muhammad said hospitals in the exclusion zone were short of medicines, and there was less food in the markets than in the mainly Sunni areas of central Iraq.

A canal project to drain the southern marshes, which begin at the confluence of the Tigris and Euphrates rivers, has made the area more accessible to Iraqi armour and robbed many Shia rebels and refugees of a hiding place. This month Iraq inau-

gurated the "Saddam river", which it said was a "welfare artery that will renew the life of our people", by draining the marshes and providing irrigation. The 350-mile waterway connects Baghdad with Basra, making the previously impenetrable southern area accessible to armoured divisions.

Despite Iraqi offensives, the Iranian-based opposition groups claim the Shia rebels are well organised and motivated. Travellers from Iraq dispute this. "The opposition in the south has been mostly crushed in the last two months. There are isolated bands of fighters cut off from each other with poor communications and co-ordination," one Iraqi exile said.

In the north, Kurdish suffering in the severe winter has

been sharpened by interference with relief supplies. Saboteurs have bombed 23 lorries laden with aid, and the UN has defused other devices planted, they suspect, while convoys have been using highways controlled by Baghdad. This caused the UN to cease further relief operations until Iraq undertook to guarantee their safety.

Iraqi troops are massing along the border with the Kurdish north and are being reinforced with heavy artillery, according to a spokesman for the Kurdistan Democratic Party. The aim appears less to launch an attack than to undermine further the Kurds' attempts at self-government. To many Iraqi Kurds, the UN has played straight into Saddam's hands. They are bitter over

the memorandum of understanding signed by Jan Eliasson, the Swedish negotiator on the UN's behalf, which, they say, makes the delivery of desperately needed food and fuel dependent on Baghdad's good will.

Life remains hard for the people of northern Iraq, who are enduring their second winter under embargo from the south. Teachers and civil servants earn less than the 6-dinar bus fare it costs them to get to work. Those most at risk from lack of fuel and expensive food, however, are the half million people in places like Kirkuk which remain under Baghdad's control. The Kurdish parliament in Erbil is unlikely to convince the allies to extend the exclusion zone to the 34th parallel, which would enable these

internal refugees to go home. A recent Kurdish delegation to Britain requested that the allies ensure safer passage for aid arriving from Turkey, by creating an air corridor to three existing runways or by securing the land route. Shortage of fuel remains the worst problem. Entire forests around what were mountain resorts have been cut down for firewood. Baghdad was contacted by the UN to supply paraffin, but some of the tankers sent contained water; if gone undetected this would have contaminated the entire underground store of fuel.

In one bit of seasonal cheer, the Turkish parliament voted on Christmas eve to extend the military operation which gives Iraqi Kurds their protective air cover.

Pentagon says Iraqis were putting US air cover to test

■ Baghdad's action in the skies came when America diverted an aircraft carrier to Somalia. Now it is sailing once more to meet the challenge arising in the Gulf

FROM JAMIE DETTMER IN WASHINGTON
AND OUR FOREIGN STAFF

THE Iraqi MiG fighter shot down by an American warplane on Sunday may have been probing American air defences over southern Iraq in an attempt by Baghdad to test American resolve, the Pentagon said yesterday.

Bush administration officials are doubtful that the downed Iraqi jet strayed into the "no-fly" zone because of a navigational error. They argue that as two sorties of two MiGs each violated the aerial flight ban in quick succession, the only conclusion they can draw is that Baghdad was intent on mounting a concerted challenge.

Baghdad last night intensified its condemnation of the shooting down of its fighter and accused the Americans of "blatant aggression". The official Iraqi army daily, *al-Qadisiyah*, denounced the incident as a "flagrant provocation" by American forces policing the no-fly zone, which was imposed last August by the Western powers to shield Shia rebels from attacks by Saddam. The paper boasted that "Iraq no longer fears anyone" and issued a warning: "The aggressors would pay a heavy price."

Military analysts said Iraq was virtually incapable of posing a threat to American, British and French warplanes. Iraqi ediles dismissed Baghdad's defiance as rhetoric of the kind relayed by the Moth-

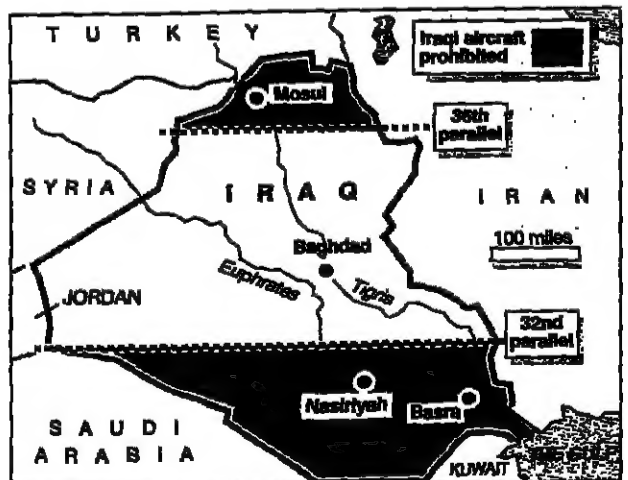
er of All Battles radio station in the Gulf war, when threats were not matched by action. According to the Pentagon, the MiG, which was flying 20 miles south of the 32nd parallel, the no-fly zone's boundary, failed to heed radio warnings from two American F16s sent to intercept it, and then turned in such a way as to indicate hostile intent. One American air-to-air missile was fired. An accompanying Iraqi jet escaped north.

Iraq's violation of the air exclusion zone came only days after the Pentagon diverted the aircraft carrier *USS Kitty Hawk* to take up position off the Somali coast. Last night the Pentagon confirmed that the carrier was on its way back to the Gulf to provide warplanes to mount combat air patrols. The F16s that intercepted the Iraqi jets on Sunday were land-based aircraft stationed in Saudi Arabia.

On Sunday night President Bush, who is in Texas on a hunting holiday, said: "I have heard that it might be some test of our will near the end of my presidency. But those F16s sent the message to him [Saddam] pretty clearly."

□ Peking: China last night said Iraq's territory should be respected. It did not want the Gulf situation inflamed by the shooting down of the Iraqi plane. (Reuters)

Leading article, page 13



Frozen out: a Palestinian deportee removing the snow from his tent in the no man's land between Israeli and Lebanese controlled territory

Some Palestinians deported by mistake, Israel admits

FROM RICHARD BEESTON IN JERUSALEM

ISRAELI authorities yesterday began the embarrassing task of reviewing the files of 415 expelled Palestinians after security sources confirmed that at least seven and up to ten of the suspected Hamas supporters were deported to southern Lebanon by mistake.

The Association for Civil Rights in Israel said that among those whose deportation orders could be reversed was Bassam Salim al-Sayuri, 16, from the West Bank town of Hebron, who was detained and expelled for nothing more dangerous than writing "nationalist slogans" on a wall.

The mistakes apparently occurred because of poor co-ordination between military and intelligence officers, who rushed through the deportation order on December 17 because of fears that the action, roundly condemned by the international community, might be halted by the supreme court. "Those who thought the move was critical, and that it must be done quickly to make sure that it would not reach the supreme court or other review, decided to operate under pressure and, as a result, mistakes occurred," said Reuven Hazak, a former head of the intelligence service Shin Bet.

The disclosures added weight to calls by the leadership in the occupied territories



for those expelled to be returned immediately. Ten Palestinian leaders told James Jonah, the visiting United Nations under secretary-general, that Israel was responsible for the fate of the deportees, who have been stranded without food in a no man's land between Israeli and Lebanese forces.

"The Palestinians have only one land. Their homeland is here, and they must be allowed to return," said Faisal Hussein, a supporter of the Palestine Liberation Organisation and the most prominent of the Palestinian figures, who also included a representative of Hamas.

Mr Jonah also met relatives of the deportees and of Israelis killed and injured in attacks by Arabs. He is expected to arrive in Beirut today for talks with Lebanese leaders and plans to visit the 415 trapped Palestin-

Khmer Rouge issues warning to UN staff

FROM NEIL KELLY IN BANGKOK

THE Khmer Rouge will take United Nations personnel captive if they attempt to monitor UN sanctions due to come into operation against the Khmer Rouge from Friday.

Khieu Samphan, the nominal leader of the Khmer Rouge, said yesterday that the UN transitional authority in Cambodia would not be allowed into Khmer Rouge

territory to observe trading, and he again refused all co-operation with UN peace-keepers.

The security council voted last month to impose sanctions on log exports to Thailand from Khmer Rouge areas and oil imports because of Khmer Rouge refusal to honour the Paris peace accord signed last year to end 13 years of civil war.

NEWS IN BRIEF

Appeal by Collor for trial delay fails

Brasilia: The supreme court chief justice rejected an appeal to delay the impeachment trial of President Collor de Mello, due to start today.

The president's lawyers had asked for an additional 30 days to prepare his defence against charges of misconduct. Senhor Collor de Mello, who is Brazil's first freely elected president in three decades, was suspended for 180 days pending the outcome of his trial in the Senate. (AFP)

Site disputed

Delhi: Demonstrators protesting against a government plan to build a mosque and a temple on the site of the Ayodhya mosque, destroyed by Hindus, clashed with police and hundreds were arrested. Both Muslim and Hindu leaders have voiced opposition to the plan. (AFP)

Leader expelled

Tokyo: Japan's Communist party expelled Sanzo Nosaka, its 100-year-old co-founder, for betraying a comrade who was shot in Moscow in 1939 after being accused of spying for Tokyo. Mr Nosaka said of the decision: "Regrettably, that is the truth." (Reuters)

Blood money

Peking: Police in the Chinese town of Hengshui smashed a 30-strong "vampire" gang who abducted people, forced them to sell their blood and kept the profits, the *Legal Daily* reported. At least 16 people were robbed of seven pints each. (Reuters)

Cubans keep going on stale buns and cat meat

FROM DAVID ADAMS IN HAVANA

THE words of the salsa song, *Our Day Is Coming*, are on the lips of all those waiting for political change to ease their deteriorating living conditions in cash-starved communist Cuba. "Everyone is waiting for it, it's coming... the day of freedom," goes the song by Willy Chirino, a Cuban exile in Miami since 1961, but today one of the most popular singers in the island. His tapes have been smuggled in and his banned songs are the most listened to on the black market.

Daily life becomes constantly more difficult for the island's 10 million inhabitants. The demise of trade relations with the former Soviet bloc, which provided Cuba with commercial subsidies in vital goods, including

fuel, has left the Cuban economy in tatters. Cubans are left struggling to "resolve" - the word most often heard in Havana when people discuss their difficulty in making ends meet. "Resolving" a daily problem means finding petrol, shampoo, soap or mechanical spare parts in a country where none of these items can officially be found in state shops.

The black market has taken over all commercial activity. The communist state which once guaranteed to be the provider of all the people can no longer offer basic services.

President Castro and his economic advisers have performed a herculean task in just keeping the economy

functioning. A blind eye is being turned to the black market, which is blamed by officials on the American economic embargo. Slowly but surely, however, the country is grinding to a halt. Factories are closing and workers stay at home with small state salaries. The average monthly wage is 160 pesos, or £2.75 on the black market. Toilet paper no longer exists, except in hotels for tourists. Loaves of bread have been replaced by small state buns. Each Cuban is allowed one a day. Meat is available only on the black market, with chicken costing 100 pesos.

Sitting in a tiny black market kitchen with Chirino playing on a tape recorder, Albert and Felix wolf down a



Castro: turning blind eye to black market

meal of rice, beans, malanga and stringy pork. Meals are being prepared all over Havana in clandestine kitchens where farm produce stolen from state enterprises is

brought from the countryside. Albert says the meat is tough. "It's not cat, is it?" he asks the cook. The offended chef responds: "We don't eat cat here."

Elsewhere cat is very definitely on the menu. Zoila, a teacher, complains that neighbours have eaten several of her cats, after killing them with catapults. She said police had arrested a man with a plastic bag full of minced cat meat.

Others tell similar stories. Natalia once had eight cats. "They've eaten six of them," she said, pointing to the neighbours' house. At ten pesos a pound, cat is more affordable than other meats. Police have arrested a woman who reportedly fattened cats and cooked them in take-away casseroles for 35 pesos a time.



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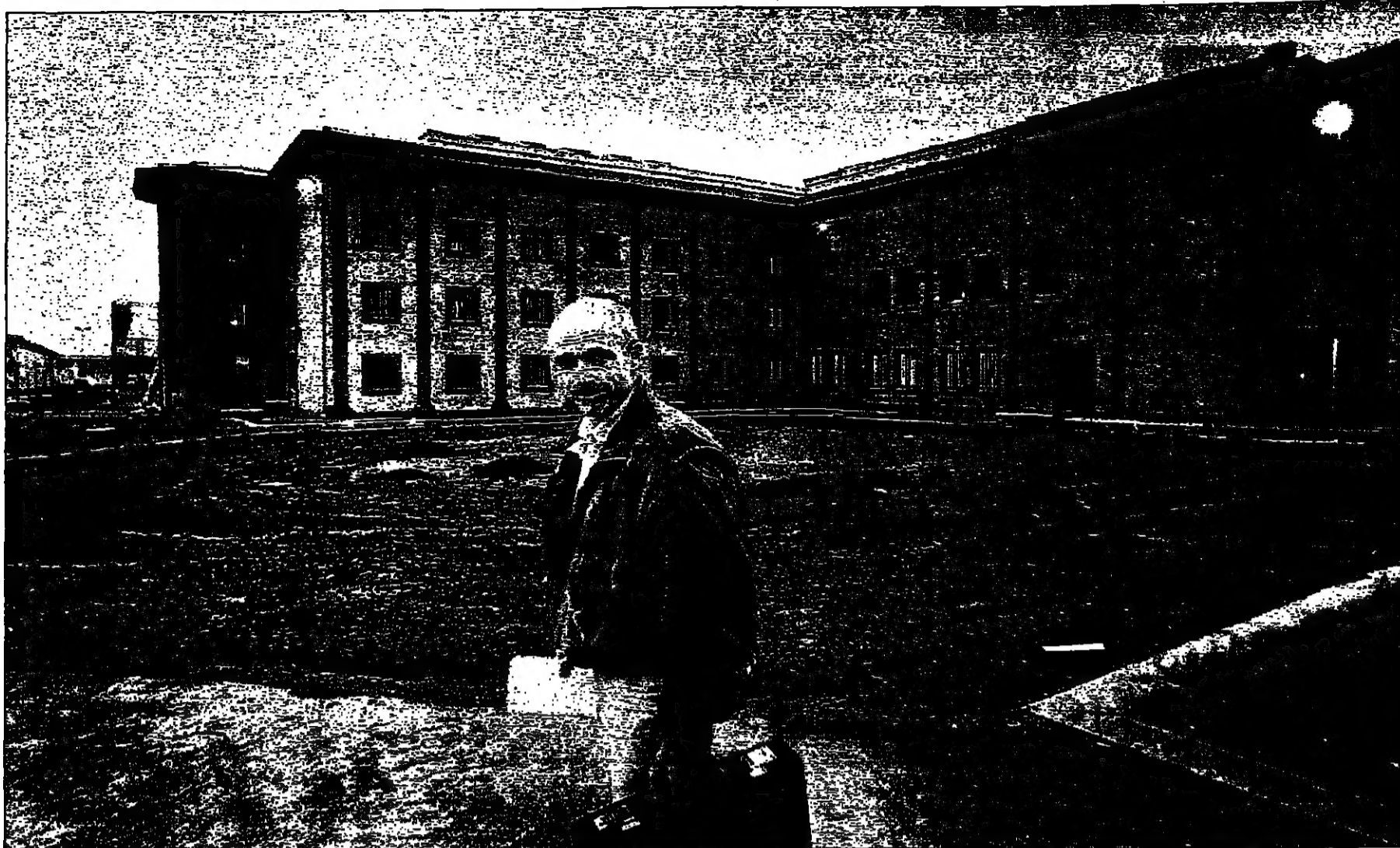
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From next month, the education of prisoners will be in the hands of private contractors. **Walter Ellis** reports on the pros and cons



Smashing—and rebuilding—the system: (left) the computer room after the riot at Reading remand centre; (above) John McVicar, criminal turned sociologist, at the up-to-date Belmarsh high security prison, in south-east London

Lock 'em up and throw away the key' has not been the philosophy governing United Kingdom penal policy for many years, despite the fact that it continues to resonate with many outside the prison service, and in particular with the victims of crime. After the Boxing day riot at Reading remand centre, in Berkshire, the sentiment may resonate a little louder. But today, the prime objective of penal policy is rehabilitation, with education a key component. Echoing and adapting the old Jesuit refrain, prison educationalists could be said to live by the sentiment, "Give me an offender between 17 and 21 and he or she is less likely to be mine ever again". Some, looking at the statistics for recidivism, would classify this approach as the triumph of hope over experience. Others would say that it is the only civilised response to criminal behaviour and point to the dramatic success of such as Jimmy Boyle and John McVicar, who each forsook lives of violence for the cells of academe and have ended up as respected social commentators. Neither view has previously had to deal with the notion of prisons as profit centres. Both the retributory and reform schools of

Teaching gets the hard cell

prison administration have always assumed that deprivation of liberty and what happens to those behind bars is a matter exclusively for the state. Today, with one privatised prison in operation, and others pending, the captive marketplace is seen by some as a fresh opportunity for the nation's flagging entrepreneurial spirit, and the education sector, already challenged by local authority "opt outs", is no exception. Under the Further and Higher Education Act, 1992, further education colleges will be removed from local education authority control from next April 1, and private contractors have been invited to bid for individual, or group, prison franchises. The Home Office argues that the quality of education offered should improve with the injection of new specialists and teaching resources. It also assures doubters that the overall budget, funded by the Treasury, will not decline

and that statutory obligations will be met, regardless of cost. Not all those currently working in the service agree. Many will lose their jobs when the results of the bidding are announced in January; those who remain may find themselves reluctant participants in a balance sheet process that feels at odds with their public service vocation. Sally Gardner is the education officer at Brixton prison, in south London. She has four full-time colleagues and 24 others who come in several hours a week, all of them paid by the Home Office through Lambeth Borough Council. She and her fellow full-timers, who are part of Lambeth College's bid for the contract to operate at Brixton, were given 12-month dismissal notices last July. Brixton is a combined allocation prison and remand centre, which means that inmates are usually moved elsewhere or freed within months of their arrival. But

about 40 per cent of the 700 in residence at any one time take advantage of the basic education courses offered — mainly in the three Rs — and many enjoy the poetry readings, drama workshops and even opera recitals that are made available with the help of outside artists. The majority of prisoners in Britain is effectively uneducated, having avoided formal schooling in some cases from the age of 12 or 13. Speaking before the riot at Reading remand centre, in which the education department's computer room was wrecked, Jackie Hearn, the centre's education officer, said that her priority was to give young inmates a crash course in the basics and introduce them to the possibilities of education. A remand centre such as Reading holds inmates for anything between one night and 15 months. The average stay is only three months, but the centre still devotes 25 per cent of its budget to education. Reading Adult Centre runs the classes and is one of the bidders for the new contract.

There are eight full-time education officers at Durham, providing a typical range of instruction — "everything from sewing toys to computer studies" — plus a fluctuating number of session class part-timers. New College further education college, the provider of the service, is one of seven bidders for the new contract, which embraces other local establishments as well, including Frankland prison and the Low Newton remand centre. Whoever wins, Mr Mogg has made it clear he expects change. "Lots of money is now tied up in paying full-time staff, including people who may

not have the specialisation we are looking for," he says. "In future, there will be more part-timers and more specialists. It is the tax payers who are footing the bill and they want the right people tied to the right resources at the right time." Not every local authority now working in the prison education sector intends staying in the business. Mid-Kent College, for example, which serves nine establishments between Maidstone, Ashford and Canterbury, is not tendering, fearing that, should it win the contract, only to lose it three years later in the next round of licensing, it could end up facing substantial redundancy demands.

Others will simply take the opportunity to wash their hands of a responsibility that, while financially covered by the Home Office (at rate of 105 per cent of the cost incurred), may well be less lucrative than providing an evening class in computer science or setting up a training course for local industry. At the Home Office, Ian Benson, the head of the prison education service, believes that the result of the process, now well underway, will be a rich and varied range of providers, with no loss of quality. "Some private bidders are involved out of conscience," he says. "Others are out to turn a profit. But all must meet the standards laid down and all must be competitive." How the prisoners themselves respond to the changed system, and how responsive successful franchisees are to their new charges, will determine if this bold experiment succeeds or fails.

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PEACE OF MIND, AROUND THE CLOCK.

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Gonna sit right down and write myself a letter ...

Where I am an astrologist and not an agony aunt perhaps I could have seen it coming. But I should have known anyway. Enough people have written to me describing the horrors of being made redundant: enough strong men have rushed past my office recently clutching files and spider plants in plastic bags as they make their final exit in tears.

But somehow I didn't really expect it. Every other time I've been summoned to an editor's office I've always been convinced I was going to be sacked. But this was a new editor, a man I liked. It was two days before Christmas. Was I going to be given a Christmas bonus? A pat on the back? Asked to discuss new ideas for the *Sunday Mirror*'s problem page?

It turned out to be the latter. But the new ideas didn't involve me. Sitting on the editor's leather sofa and smiling inanely, I listened as he told me his sad tale, feeling like an oyster being talked to by the Walrus in *Through the Looking-Glass*: "I weep for you," the Walrus said: "I deeply sympathise."

With sobs and tears he sorted out. Those of the largest size. The editor assured me that it was nothing personal, that he thought I was wonderful, that he hated to sack people he admired and respected... but in order to forge links with the *Daily Mirror*, he would prefer Marjorie Proops to be agony aunt not only for the daily but for the *Sunday Mirror* as well.

Virginia Ironside, fired agony aunt (below), puts her advice to the test

thought I was wonderful, that he hated to sack people he admired and respected... but in order to forge links with the *Daily Mirror*, he would prefer Marjorie Proops to be agony aunt not only for the daily but for the *Sunday Mirror* as well.



Being sacked is like being mugged. I sit at home feeling faint, dizzy and shocked

worthwhile. I may be depressed but I am useful and good. I was born and I am alive. I am me." Or apparently I could run round the block. I consult my "Making Money at Home" leaflet — because I'm wondering how on earth I can afford to put my son through university, and wondering whether to open a guest house or set up a mushroom farm. I recommend myself to learn picture-fram-

ing or china repairing, or practise alternative therapies: I could walk other people's dogs or take in lodgers — but I should avoid jobs that involve addressing envelopes.

Everyone tells me things will work out fine. "You're a household name," they say blithely. But until you have a job you're just another unemployed person, sitting at home and feeling as if you're floating in outer space.

Being given the boot is, these days, rather like getting your call-up papers in the war. You can wait and wait, crossing your fingers, but it seems that sooner or later you get the knock on the door.

The deputy group managing editor rang the day after my interview. "Why haven't you come to collect the cheque I have for you?" he asked, referring to my legitimate pay-off. In an amazing leap of the imagination he said: "I am dying to give it to you and tell you that yes, Virginia, there is a Santa Claus!" If he can twist such a horrible situation round to make it positive and funny, perhaps, sometime, I can, too. Maybe I'll be able to look back on this grim Christmas and see the incident as a challenge, a gift. And that I have not so much lost a job as gained a future. I hope so.

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SOLUTION TO CHRISTMAS JUMBO CONCISE CROSSWORD (published on December 24)

ACROSS: 1 Persona non grata 9 Strict faced 15 Instigate 16 Aspired 17 Sacre bleu 18 Old King Cole was a merry old soul 19 Overarm 20 Squeeze 21 Thingumabob 23 Hurriedly 26 Critique 27 Surveyor 30 Roman 31 Vests 33 Arachnoid 34 Drone 36 Ding dong battle 39 Edith Sitwell 41 Systematical 43 Deeply offended 46 Evens 47 Better not 48 Prowl 49 Tasks 51 Pastram 53 Televis 54 Cleared up 56 Coathangers 58 Laid out 59 Plumber 61 Football Association Cup Final 64 Lie hidden 65 Get via 66 Ras Tafari 67 Years gone by 68 Renter necessary

DOWN: 1 Philosopher 2 Residue 3 Origination 4 Amalgam 5 Onerously 6 Grape juices 7 Alphabetically 8 Afro American 9 Sedge 10 Restrain 11 Cacao 12 Freedom 13 Calfow boy 14 Double-barrelled 21 Touched up 22 Gourdes 24 Reminisce 25 Devon 28 Vedette 29 Not try to 32 Sobriety 35 Overdosed 36 Disrespectfully 37 Dresser 38 Traceless 40 Gentrification 42 Albumen 44 False 45 Interlocutor 48 Predominate 49 Tarruffians 50 Superfluity 52 Soap opera 54 Cut and run 55 Detainee 57 Hobbits 59 Prussic 60 Bandana 62 Led to 63 Soggy

50:150 من لاصي

No love in a cold climate

Nasal decongestants could have an unfortunate side-effect — impotence

Suffering from a post-Christmas cold? Then you might think twice before buying an over-the-counter cure. According to Kenneth Waters, a consultant surgeon, some decongestants can render men impotent, albeit temporarily. "Experts generally know that certain prescribed drugs such as beta-blockers also carry the side-effect of impotence. But so can some medicines which anyone can buy from the chemist."

Such claims have apparently been borne out by a 45-year-old patient at the London Grosvenor Clinic (where Mr Waters works) who had — unknown to his doctors — been taking a variety of well-known decongestants on and off for 15 years. For most of that time, his sexual performance had been miserably low, and his marriage was suffering as a result. In desperation, he had been to a hypnotist and had hospital counselling, but to no avail.

The link between decongestants and impotence arose only when the patient was injected with prostaglandin to achieve an erection. To save the patient the embarrassment of travelling home with the obtrusive result, doctors at the clinic used decongestant tablets to bring down the erection by constricting the arteries.

When the patient returned home that night, he rang to ask why he had been given some tablets which he had been taking for several years. When he stopped taking them, he resumed a "fantastic" sex life.

Mr Waters says that he was not surprised if there were other over-the-counter medicines that cause impotence. It's high time there was a controlled trial. At the very least, patients, pharmacists and GPs should be more aware of the link.

Previous studies have indicated links between poor sexual performance and prescribed medicine, such as beta-blockers and anti-ulcer drugs. But impotence — said to affect one in ten men and one in three over the age of 65 — is still a sensitive subject.

Consequently, many GPs still fail to warn their patients of the possible connection. In an American study published in 1986, only 7 per cent of patients voluntarily told their doctors of their impotence. But when specifically questioned by the same doctors, the number rose to 53 per cent.

British sufferers should be urged to speak up, says Frances Thompson, a drugs information pharmacist for the North West Thames regional health authority. "This is a common situation when there are several hundreds of new drugs on the market, each with different side-effects," Ms Thompson says.

Not all GPs, however, are as up to date with impotence-related drugs as they should be. "Anti-depressants are a good example," Ms Thompson says. "Not everyone knows that they can cause impotence both in men (through poor erections) and in women (loss of libido or delay in orgasm)."

Dr Roger Kirby, who runs an NHS impotence clinic at St

Bartholomew's Hospital in London, says that out of the 1,000 men he sees annually who have been screened by their GPs for obvious causes of impotence, up to 20 per cent are drug-related. "One also has to remember that some medical conditions, such as high blood-pressure, can cause impotence. But it's possible to get round this by treating a patient with a different kind of drug — such as some alpha-blockers — which does not cause impotence."

Some doctors are acutely aware of the link between drugs and impotence, but are afraid of mentioning it in case patients refuse essential treatment. "If someone comes in with an acute attack of asthma or high blood-pressure, a doctor's overriding duty is to save them," says Dr David Khan, a London GP. "But if you say, 'Look, this could make you impotent at the same time', they might not bother to take the medicine. So I often prescribe homeopathic drugs instead which don't carry impotence as a side-effect."

Not surprisingly, the drug firms are "somewhat sensitive about the subject," says Dr Kirby, who points out that the market in blood-pressure tablets — not to mention decongestants — is a big money-spinner.

One big decongestant manufacturer, the Wellcome group, says that in the past 25 years, it has not had one formal complaint. Martin Sherwood, the group public relations manager, says that a New York survey in 1988 revealed only six reported cases of impotence which could be attributed to decongestants. "If someone is in need of decongestants, he is not going to be very worried about his sex life, especially since any problem would only be temporary."

Maybe so — but the risk should surely still be made known. Indeed, a failure to connect drugs with impotence can lead to unnecessary and irrelevant medical treatment, says Dudley Rogg, the director of the Grosvenor Clinic. "One reason why there are so few reported formal complaints is that a patient who confides that he is impotent might not think of telling the doctor that he is also taking over-the-counter medicine."

"Some practitioners may simply dish out penile injections of local drugs to produce an erection. This might be appropriate if the impotence was caused by something other than drugs (common causes include hormonal imbalance, neurological problems, surgical difficulties or psychological blocks). But simple questioning about any drugs which the patient might be taking could cure the problem instantly."

So could a more open attitude be taken towards the problem? Mr Rogg says he wishes he had a pound for every patient whose GP has said, "You're 42 years of age — what do you expect?" "I've just put down the phone after a call from a man about to lose his marriage. Makes you think, doesn't it?"

JANE BIDDER

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Jerome Burne on a study that assesses

the link between a couple's family relations and their health

For a family to be as healthy as possible it should be optimistic, believe in God and be led by a traditional male. That is just one of the many implications of a remarkable research project in California that has been studying the effects family life can have on parents' health.

Led by Dr Lawrence Fisher, of the department of family and community medicine at the University of California, San Francisco, the project has uncovered links between 14 indicators of physical and mental health (such as anxiety, having regular check-ups and self-confidence) and more than 50 ways a family behaves and organises itself — ranging from how optimistic it is and how it handles emotions, to how clear the house rules are.

Not only are some of the connections surprising, but the study shows that what is good for the man may not be so healthy for the woman and vice versa.

For example, a house rule that no one opens the parental bedroom door without knocking is likely to correlate with the woman feeling self-confident. The husband, however, will reap no such benefit.

Women who operate the "knock first" rule also appear to practise "preventive behaviour" in terms of physical health — for example, they will have their teeth and breasts examined regularly — but again there is no such link for men. A man's dental check-ups appear to be linked with shared roles — otherwise known as "Who does the cooking?"

If husband and wife take turns with chores then the husband is likely to show preventive behaviour but not the wife.

"We were really surprised by just how big the difference between the sexes was," Dr Fisher says. "It just jumps out of the figures and hits you."

What also jumps out is just how beneficial the traditional marriage is for men. Not only are there more elements of such a marriage that exclusively benefit the man, including being "head of the household", making the majority of decisions and being at liberty to pursue interests outside the family, but those elements which may benefit the health of women — being in control of the emotional management of the relationship, creating privacy within the family — are more ambiguous and require a delicate balancing act on her part.

It is when emotions come tumbling out that the gap between husbands and wives opens up. Past research confirms that, in a couple, the woman tends to manage emo-



The family that stays together, perhaps: nuclear perfection as seen through the eyes of John Bull magazine

tions. What she has to overcome for this management to be of benefit to her health is the male's usual response to an argument — to become stubborn, complaining and withdrawn. The popular notion is that it's healthy for people to express their emotions, be they affectionate or angry. But Dr Fisher claims that the key question turns out to be healthy for whom? What he has found is that when the woman approaches arguments in one way it is healthier for her but worse for the man.

If she is hostile, tries to make him feel guilty, talks more than he does and does not allow any warm connections to come through, then he is very likely to be depressed. In fact it is the only family situation that is connected with depression for men. She, on the other hand, is unaffected. But if she allows him to take control of an argument the effects may be positively harmful to her.

The survey found that when men run arguments they respond by withdrawing, and refusing to confront the issue at hand. The couple may then become distant and the woman may suffer anxiety,

depression and a general sense of feeling low.

Dr Fisher points out that there may be a physical basis for the differing male and female responses to an argument. "There is some research that shows that after being aroused by an argument men return to a normal state quite quickly while women can stay hyped-up for hours. So if, time and again, they don't get their feelings off their chests it's not surprising they pay a penalty for it by feeling anxious."

To achieve privacy, her one other individual health benefit, the woman has to perform another balancing act over the amount of time she gets to herself. If she feels that her role as an emotional manager demands that she spends all her energies sharing and encouraging the intimacies the family needs for cohesion then she misses out on one of the strongest factors protecting her health. But if she is able to establish some privacy — such as the rule about knocking before opening the bedroom door — and has something she does on her

own, then there is a strong connection with both self-esteem and taking care of her health. There is also a marked absence of those general aches and pains that seem to figure only on the female list of complaints.

Women seem to be more affected by the family and this comes out in emotional upsets such as anxiety, depression and lowered self-esteem. Men, on the other hand, are more likely to respond to stress by smoking or drinking.

The study does show up very clearly the benefits an old-style male gets from his marriage. There is even a cluster of behaviour and beliefs called "sex-role traditionalism" which is associated in men with avoiding anxiety and depression and having regular

health checks. It encompasses, among other things, believing that women are mainly involved in child rearing, that women should put the needs of the family before their own and that women's "adaptability" extends to taking over male roles in a crisis but letting them go when it is over.

Less offensive to many but still traditional for men is "life engagement", a degree of risk taking and a readiness to try new things outside the home which is also connected with taking preventive health measures. The female "adaptability" that is part of the traditional marriage also has benefits for the man in relation to his job satisfaction. Significantly there is no sign that women obtain any benefit from this adaptability.

Dr Fisher's study is unusual both for its size and because it looks at so-called "normal" families (see box) — that is, ones that are not in therapy, from which much of our knowledge of families comes. "The major value of this study is that it enables us to say for the first time what the really important features that define a family are," Dr Fisher says. He believes that the strong connection between religious belief and good health shown by the study may be because religion gives families a wider support group. For husbands, private prayers and regular churchgoing was linked with a general sense of well-being, as well as keeping him off drink and cigarettes. For wives the only benefit of religious belief was a more active social life (smoking among women decreased only when they regularly got some privacy).

Religion's benefits are at odds with the study's findings about controlling destiny. Dr Fisher did not find, as other researchers have, that believing the family could control its own fate, via religion or any other outside controlling force, was strongly linked with good health. Instead, both men and women who have an optimistic belief that everything will turn out all right in the end tend to enjoy a sense of well-being, self-esteem and be free from depression.

Dr Fisher believes that with the aid of this family map all sorts of discoveries might be made. "It might be much easier to predict which families will cope well with the problem of living with a senile grandparent or a handicapped child. We know that families which are optimistic normally do well, and we know that a readiness to experiment with new things is linked with health in husbands. But these are just the elements that are likely to suffer when a chronic invalid arrives. Families that have to take in an elderly relative and also score high on these features should be carefully watched."

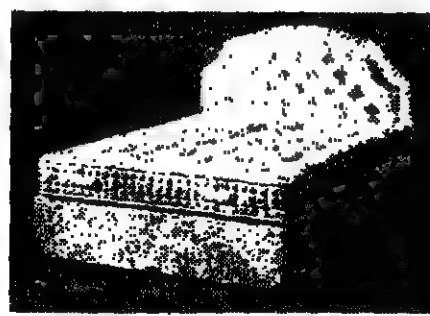
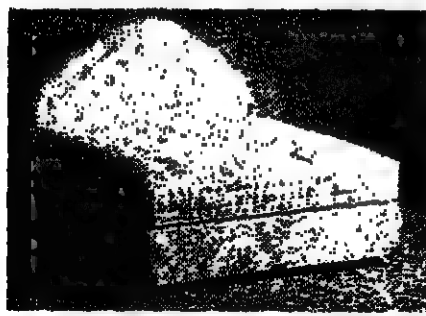
Dr Fisher has found one recipe for the healthy couple in what he calls "organised cohesiveness". The ingredients for this are that partners know who is in charge of which areas of their joint life and what the rules are, and that they are close to each other and spend time sharing thoughts and feelings. When these all come together both partners feel good and do not get depressed, while individually the man has less of a tendency to drink and the woman avoids anxiety.

"What this shows is that you need to work at families," Dr Fisher says. "Organisation and closeness are different things but these days, you can't have one without the other. You have to make time to be together."

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Resolving to change

AS THE deadline for new year's resolutions approaches, it is worth remembering that the adoption of a healthier lifestyle need not always be time-consuming and strenuous. Similarly, abandoning, or cutting down on, bad habits is easier this new year, thanks to medical research, than it has been in previous years.

Research this year has shown that lack of exercise increases the chance of developing not only heart disease but also cancer of the colon, testes and probably breast. Brisk regular exercise should therefore be everybody's first resolution. The exercise need not be sweat-inducing. Thirty to 45 minutes hard walking a day is all that is necessary.

A glass or two of alcohol a day serves to keep the coronary arteries open, as well as providing some enjoyment. But

BOTTOM LINE

alcohol in excess, particularly when combined with tobacco, can induce cancer of the mouth and throat, including both the larynx and the oesophagus (gullet). Heavy drinkers should resolve to reduce their intake. They often find it easier to cut out drinking at certain times, before 6pm for instance, rather than to cut back at social occasions. The development of the nicotine patch has removed addiction as an excuse for continuing to smoke. The patch causes local but severe irritation in about 7 per cent of smokers but gives the rest a very good chance of giving up. Smokers should give the patches a try, but should consult with their doctors. Those with heart disease should beware of smok-

ing and wearing a patch simultaneously.

The greedy will resolve to keep down their weight not by intermittent fasting and snuffing, now shown to be dangerous, but by the gradual loss of weight. Two pounds a week is ideal. They will have their serum cholesterol measured. If it is high, and there are factors such as family history of heart disease and premature death, smoking, slothfulness or high blood pressure, they should cut back on fats.

Fat or thin, we will all resolve to take Vitamin C, beta-carotene and Vitamin E, preferably in our diet but otherwise as pills to protect our arteries against disease, our cells from cancerous change, and our eyes from cataracts.

DR THOMAS STUTTAFFORD

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Lynne Truss

■ The holiday television films are good news for lip-readers but nobody else

In real life, no one ever says "frig". This is plain fact. Language embraces all manner of expletives, from the colourful to the brutal, yet somehow the terms "frig" and "frigg" have never been known to leap to the lips of any enraged person ("Hey, get off my frigging foot!"), mainly because they are mild, meaningless, slightly comical words inappropriate to situations of high intensity. Yet in movies specially dubbed for television, the friggings seem never to stop. I raise this matter because the Christmas TV fortnight was loudly fanfared as an opportunity to see lots of recent box-office successes for the first time on British television; yet it has turned out, on closer inspection, to be good news for lip-readers and nobody else.

If you are familiar with the movies in their original form, this blatant doctored dialogue can give you a nasty turn. You know when you are sitting innocently on the wrong bus, with your destination comfortably in sight, and you suddenly swerve round a corner and accelerate helplessly northwards? Well, it feels just like that. Your consciousness splits in half, and you feel so bewildered that for a moment you can't remember where you live or what your name is. I watched *The Fabulous Baker Boys* on television on Sunday night, despite having seen it countless times on video, and this unexpected cornering took place so frequently, it was like—oh, like I had bought a jinxed Travelcard or something.

You see, the script of *The Fabulous Baker Boys* is heavily dependent on the genuine F-word to indicate dysfunctionality, but on the TV you never knew when it might come out all peculiar. Sometimes it was there, but sometimes it wasn't. "Count the frigging money, Frank," said the miserable piano player (Jeff Bridges) to his brother—sort of under his breath, but loudly enough for a supercilious bar-room manager to hear. This was supposed to be an offensive remark, but it wasn't really, because "frigg" is not a bad word. "Screw him," he commented afterwards, his heart evidently still not in it. Later, he had a nasty showdown with Michelle Pfeiffer, with whom he had spent two meaningless nights in the sack. "Listen princess," he snarled emphatically, "We danced twice." Danced? What did he mean, danced? Viewers scratched their heads. "Hey, I hope this hasn't been cut?"

Personally, I think there is a big issue at stake, because I hate to be sold a pup. I like to know that I am watching the genuine article, as seen by everyone else, otherwise it's a waste of time. Also, I have this naive, pathetic belief that dialogue is supposed to tell you more about the thought-processes of the characters than about the tender sensibilities of the imagined audience watching a grown-up film on BBC2 between 10pm and midnight. In *The Fabulous Baker Boys*, two of the characters smoke a lot, too, to show how miserable and negative they are. Well, why was this not cleaned up likewise, to protect the feelings of the vehement non-smoker? It's only a movie, after all. "Count the frigging money," growls the saturnine Jack Baker, and instead of taking a defiant smoky drag, produces a bag of sherbet lemons and offers them around. Why not? Perhaps he shouldn't even be saturnine, either, because, listen, no one wants to be depressed over Christmas. The TV version could have him a lot more cheerful. And instead of all this "frigg"ing, he could exclaim "Christopher Columbus", like Jo in *Little Women*.

The worst aspect of this bowdlerization of soundtracks is that it can transform a trusting happy viewer into wary, narrow-eyed lip-reader, taking nothing at face value. For example, did you watch the Miss Marple film on Sunday? Few expletives on the surface, but you could see that the words had been put on clumsily afterwards, not matching the movements of their mouths. "Goddam" was a word blurted out by an American character at one point, but unfortunately I rushed to the screen too late to see whether he formed his lips in a labio-dental fricative (or "f") when he said it. Once you have been wised up to this stuff, you see, there is no going back. It makes you feel all suspicious and nasty. Count the frigging money, Frank.

Privately rented homes could liberate us from the burden of property ownership, says Janet Daley

To rent makes sense

What was the most serious mistake of the Thatcher era? Not the poll tax or entering the ERM. Those were tactical misjudgments. More disastrous was the belief that owning property was the route to freedom. Only now, knee-deep in the wreckage caused by that fallacy, are the Conservatives proposing to revive private rented housing. If the reforms were done properly and not in a marginal, apologetic way, they would lead to just the sort of changes in national morale which Thatcherism thought it was about.

But the confusion which led to the home-owning fallacy was part of an incoherent view of housing which the Conservatives melted out of inherited post-war paternalism and a muddled sort of radicalism which saw only half the problem. Their remedies now for the private rental sector still seem to be bred in that miasma of contradictions. Governments have fatally unbalanced the property market by bribing owners with mortgage tax relief. This one now proposes to bribe prospective landlords with "tax incentives", thereby distorting this fledgling market even before it is established.

The first mistake was understandable. In 1979, there was indeed a sinister alliance between taking away from people the sort of control over their domestic lives which home ownership seemed to provide, and national defeatism. So, setting ordinary people free had to mean letting them join the property-owning classes, didn't it?

Hearing is now, what a curiously aristocratic idea that sounds. But Britain, even under that great champion of the middle class, Margaret Thatcher, has never really understood the bourgeois virtues of mobility and ambition. To be accepted as properly middle class in England (but not in Scotland) is to be ersatz upper class: rooted, complacent and, above all, propertied.

And so the flawed theology was disseminated. Much political attention was paid to the frustration of council tenants spending money on consumer durables to furnish homes which could never be truly

theirs. Not only were they to be liberated from the petty tyrannies of bureaucracy—free at last to paint their own front doors and replace their windows with neo-Georgian bays—but their children were to be discouraged from ever entering into that one-class ghetto. Schooled in the joys of aspiration and self-determination, this new generation was urged to leap straight into home-ownership. And so a proud new swathe of the population committed itself to property as a one-way ticket to respectability and financial security.

The rest, as they say, is history, too well-trod and depressing to rehearse again here. But looking at the tragic mess in which it has all ended for so many, one can only wonder at the blind spot which Thatcherism seems to have had about housing. Thinking that they had rethought the subject root and branch, the Tories flew at council housing with a fury, in the belief that this was the only malign force in the picture. But

they accepted unquestioningly the socialist view of the private landlord as an inevitable exploiter of the innocent. Even a government which was the greatest sweeper-away of political myths in recent history, balked at the idea of rehabilitating this demon.

Perhaps they half-accepted the leftist view that Ratchmanism—the notorious terrorising of slum tenants—was a product of free-market forces. Ratchman, whose brutal techniques for evicting recalcitrant flat-dwellers were linked with crime and prostitution in Notting Hill, became a symbol of villainy. People providing housing for profit came to seem as notorious as pimping. Like health care, housing had to be socially distributed and guaranteed.

No one, not even most Thatcherites, seemed prepared to argue that the excesses of Ratchmanism were not a product of a free market but of a desperately unfree one. Over-

charging and exploitation, let alone the outright victimisation of tenants, do not arise from a commercial free-for-all which gives the customer a fighting chance. They flourish like fungus in the dark corners of strangled markets, finding the weak spots in over-protected, moribund systems—using illegality as a weapon of blackmail. The private rental sector, became, through over-constriction, prey for sharks: the benign landlords dropped out, leaving the ruthless to scratch what nasty gain they could from an over-regulated, over-rationalised black market.

And it was not only the professional landlord who learnt how to cheat. Those who remember the days when there was such a thing as an unfurnished flat to rent will recall the wheeze of being charged for "fixtures and fittings" by the sitting tenant who was handing over the lease. The "f & f" usually consisted of a nasty mirror and some ragged carpets. The charge was really a

form of extortion by one tenant of another which could be exacted because such flats were so rare. Scarcity is the great corrupter of market morals, in housing as in anything else. The more you restrict the supply of something, the more you will create scope for abuse. Flood the market with decent, affordable accommodation and you leave less room for victimisation.

But the market is free to respond to real demand only if it is not weighted. Give a handicap or an advantage to one sector or another and you will only store up another set of problems which seems to cry out for further regulation. Private rented homes could be the most flexible and genuinely liberating system of housing which a capitalist society has to offer. But only if capitalism is given a chance to work. As it is, the débâcle of Thatcherite housing policy is going to result almost inevitably in a lost generation: all those people who thought they were making a smart gamble in a free marketplace but who were really playing with loaded dice. And the game had been rigged, ironically enough, in the name of a new form of paternalism: one that promised freedom.

Why security comes first

Conor Cruise O'Brien suggests a solution to the Palestinian deportations that is in Israel's interest



Defiant in no-man's-land: but no Arab country wants to take in these dangerous men

The deportation of the 415 Hamas members is the biggest mistake made by Yitzhak Rabin, during his present term as prime minister. That said, some of the international reactions to the deportations have been excessive, as is often the case whenever Israel is in the news.

Some have described the deportations as "ethnic cleansing", thus enabling them to bracket Israel with Serbia. But these deportations do not constitute ethnic cleansing. The people concerned were not deported just because they are Palestinians. They were deported because they are members of Hamas. Hamas is an organisation that regards itself as at war with the state of Israel: a war which will not end until Israel is replaced by an Islamic state in all of Palestine. Hamas is at present waging its "war" by killing Jews indiscriminately and Palestinians selectively (the Palestinians being persons suspected of collaborating with Israel or who have in any other way incurred the displeasure of leaders of Hamas).

The Israeli government believes, probably rightly in most cases, that the people it selected are the élite of Hamas, the godfathers of an armed conspiracy against the lives of Israelis and against the existence of the state of Israel. Regrettable though they are, the deportations do not constitute ethnic cleansing nor can the policies of Israel, without grave injustice, be bracketed with those of Serbia.

Last week, the ethnic cleansing theme was getting out of hand in the letters column of this newspaper. On Wednesday Lord Mayhew, approved the use of the term as applied to the deportations, but he went back to 1948 and claimed that Israel had been established by a policy of ethnic cleansing. He cited Deir Yassin—the scene of a massacre by Irgun, on April 9, 1948 of 250 Arab civilians.

That atrocity may indeed be rightly described as ethnic cleansing, Yugoslav-style. All the same, Lord Mayhew was distorting history by omission. One would think from his letter that ethnic cleansing in 1948 was a Jewish monopoly. No so. After the British mandate for

Palestine expired on May 15, 1948, the regular armies of five Arab states invaded the new state of Israel. Their object was not concealed by the Arab media at the time. It was to destroy the state of Israel and to exterminate its inhabitants. If they had succeeded, the results would have been second only to the Holocaust, in the annals of ethnic cleansing. And the objectives of groups like Hamas and Islamic Jihad today remain the same as those of the five Arab states in 1948.

Lebanon, backed (or ordered) by Syria will not take in the Hamas deportees. No Arab state now wants people like these: they are even more dangerous to them (whose legitimacy Hamas also denies) than they are to Israel. If the deportees are left where they are indefinitely,

If the deportees are left indefinitely, they will suffer along with Israel's reputation and the peace process

not only will they personally suffer, but so will Israel's reputation, and the peace negotiations—to which Mr Rabin is personally committed—will be indefinitely stymied. So it is in Israel's interests to take these people back. But it is only in Israel's interests to take them back on Israel's terms: terms that will be acceptable to the people of Israel, as adequately safeguarding their own security.

Polls show 91 per cent of Israelis approve the deportations, because almost all Israelis believe these people constitute a threat to their own and their families' lives. Mr Rabin can only bring back the deportees, if he can satisfy Israelis that they will not be a threat to their security. If he brings them back without giving satisfaction on that score, he will fail. Those who are calling for the return of the deportees for the sake of the peace process should take note. If Mr Rabin fell over this issue his successor would be most

unlikely to show any interest in the peace process.

The thing can be done, however, with due regard to security. I should like Mr Rabin, in the near future, to make a statement on the following lines: "Since Lebanon, and the other Arab countries declined to take in the deportees, Israel has decided to take them back on humanitarian grounds as soon as the necessary preparations have been made to accommodate them in a manner compatible with Israel's security needs. That will require the internment of these dangerous men."

"It would be better, of course, if we could try and convict them. But, as many other countries know, it is extremely difficult to secure convictions of terrorist godfathers. We are not prepared to put the lives of our citizens at risk by allowing these enemies of Israel and all its people to remain at large in Israel. While, therefore, preparations for their internment are being made, we are prepared to allow humanitarian aid to reach them through Israel, and we have so informed the international Red Cross."

That is about as far as Mr Rabin could go and survive as prime minister of Israel. In the meantime, and failing a move from either Lebanon or Israel, the United Nations, whose security council has condemned the deportations, should organise humanitarian aid by air. No doubt both countries would protest against the violation of their air space, but such intervention would probably come as a relief, since it would end the present plight of the refugees—damaging to both of them in different degrees—without requiring either country to take responsibility for the future of the refugees.

But it would be better for Israel to accept responsibility for their future in some such manner as I have described. It is possible, of course, that the deportees, or some of them, might prefer to stay where they are, rather than face internment in Israel. In that case, Israel should allow humanitarian aid to continue to reach them through Israeli territory, having made clear the conditions on which alone Israel is prepared to allow their return.

A stirring reward

SO FAR the reward, offered by Jacques Delors, of 200,000 ecu and a job for a succinct definition of subsidiarity on one sheet of A4 paper has not been claimed. But a suggestion put forward by Professor Ross Harper, former Scottish Tory president, has won an alternative award.

It was not, however, one that Harper, professor of law at Strathclyde University, would have necessarily wanted. His definition of the hated S-word has won the first wooden spoon to be awarded by the European parliament socialist group in a monthly campaign against Euro-jargon.

In a pamphlet called *New Unionism* published by the Society of Scottish Conservative Lawyers, Harper has reduced subsidiarity down to a algebraic formula.

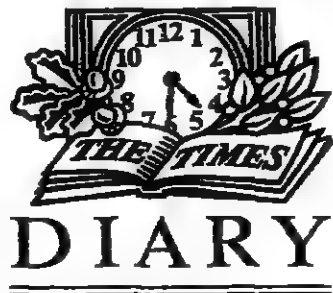
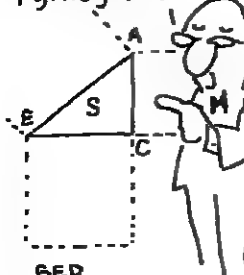
$$A = \frac{ExEA}{CxCE}$$

A, says Harper, stands for the appropriateness of whether a decision should be devolved from Brussels to the member state. E is efficiency, EA empathy (acceptability), CE cost (economics of scale) and C consistency. This, he points

out, is the simple version. "Much work can flow from the creation of such a formula. For instance the factors should have regard to the difference under centralisation or cost with subsidiarity. Each of the items should not be stated in absolute terms but in comparative terms."

For this and the accompanying treatise, Harper, who studied maths as part of his degree, will receive a bottle of champagne from the socialist group. He insists he was flattered that the socialists had taken the trouble to read it, and

Then there's Subsidiarity by Pythagoras



wasn't a bit surprised they had not understood it. As for the wooden spoon award, he says: "I hope it is sufficiently long to allow me to sup with safety with them." As to whether the complex formula is actually a better indicator of the lack of humour displayed by European socialists, Harper is not saying.

Dickie birdwatch

AFTER prolonged controversy over press intrusion into matters royal, yesterday saw Buckingham Palace perform a neat volte face. As the pack of royal photographers followed the annual Christmas pheasant shoot at Sandringham, a BBC crew was to be seen filming their print colleagues from a car driven by none other than Dickie Arbiter.

press secretary to the Prince of Wales and a man not known for his friendliness towards members of the fourth estate.

Arbiter arrived at the wheel of his maroon Escort Cabriolet XR3i—not a vehicle one automatically associates with royal circles—with the three-person crew aboard. They were, explains the BBC, taking film for inclusion in a *Panorama* special on press intrusion to be screened at the end of January.

The gaggle of press photographers, assembled at the estate for the day, did not, however, see the comedy in Arbiter's role, especially after the royal spokesman had engaged one of their number in a characteristically frank exchange.

"The royals are trying to prove what they regard as intrusion," says one photographer, "and yet we never strayed from the public road." The BBC yesterday insisted that, despite claims to the contrary, they had received no special privileges. The palace said this was a regular part of its work. But just how often does Arbiter help cameramen to load their gear into the boot?

Leader of the gang

WHILE Cardew Robinson, who died on Sunday, was best known

for his Cardew the Cad character, it was his work in the RAF Gang Show which meant most to the veteran comedian. Right to the end Robinson was still appearing in revivals of the show to raise money for charity.

Only last month he was one of the star turns in a Gang Show at Wimbledon Theatre to mark the sixtieth anniversary of a vehicle that introduced such talents as Peter Sellers, Dick Emery, Harry Worth and Michael Bentine.

Jack Seaton, president of the British Music Hall Society and the man who organised the Wimble-



don show, says that Robinson, despite successfully making the transition to television, never forgot his music hall roots.

"Cardew's first love was the Gang Show. Soon after D-Day he was in France entertaining the troops. He was singing his heart out on the back of an army lorry when sirens blared, guns were fired, and shells started raining down."

"Cardew never turned a hair, kept cracking jokes, and singing songs even when the lorry took off at high speed, heading for the frog, with him on the back dis-

pensing cheer to anyone who would listen. He must have put the fear of God into the enemy."

Barry Cryer, who knew Robinson for 20 years, was one of only a handful of friends who called him by his real name, Douglas. "I once went on a cruise with him on the HMS *Canberra*. That toothy grin, and those twinkling eyes, had a magical effect on all the matrons wandering around on the deck. He was like a character from an Agatha Christie world."

● Feeling is running high in the eastern Iranian town of Salmas, where the populace believes the Saviour—the twelfth imam or direct male offspring of the prophet Muhammad—is about to reappear after 1,200 years to proclaim the end of the world. A local man has gathered thousands of followers by saying that he recently heard the twelfth imam, a sure sign that the twelfth imam is on his way. The town's official mullah, appointed by Tehran, is sceptical. Only trained theologians recognise the twelfth imam, he says. The Saviour, he pontificated to the locals recently. The crowd was having none of it. The unfortunate mullah was pulled down from his pulpit and thrown into a pool.



A FLIGHT TOO FAR

If Iraq expected America to be off guard, it miscalculated

President Saddam Hussein's jubilation at George Bush's electoral defeat should be tempered by America's forthright response to the Iraqi air force's violation of the ban against Iraqi flights over southern Iraq. The president-elect, Bill Clinton, supported the shooting down of the aircraft in terms almost identical to those used by President Bush. So much for the publicly expressed hopes of Saddam's foreign minister, Tariq Aziz, that Iraq would soon be able to deal in "a constructive atmosphere" with a Clinton administration possessed of an "objective attitude". By this he meant that UN sanctions against Iraq, reconfirmed last month in view of Iraq's continued refusal to honour many of its obligations under the Gulf war ceasefire resolution, would soon lapse once Mr Bush had left the White House.

Baghdad's rhetoric about retaliation can be discounted; Saddam does not want to court the kind of allied response which would put his weakened forces at risk of further military humiliation. But more probing of Western determination must be expected. Yesterday, Saddam's envoy to the UN denied any intention "of escalating the situation". But in the same breath, he threatened "more turbulence" until sanctions were lifted and governments resumed normal diplomacy with Baghdad.

Ever since the ceasefire, repeated incidents of Iraqi harassment of UN guards, relief missions and weapons inspectors — on all of which Saddam has retreated only under threat of military retaliation — have served him, at home and in the region, as demonstrations that he is still in power and making the running. Saddam's immediate goals are to run the UN out of the country or, at least, as he has in the "safe haven" in the north through extensive sabotage, to disable its relief operations. With the UN out, he would regain most of his freedom to crush internal opposition; and then to reassert Iraq's position as a regional power with which its neighbours had better co-operate.

An avid follower of American media, Saddam persisted during the Gulf war in exaggerating American opposition to

throw and in believing that America would shrink from using the forces it had assembled there for fear of casualties. He may have misinterpreted Mr Clinton's "America first" campaign theme as a form of isolationism worth putting to the test, and ignored his strong position on combating violations of human rights.

Wishful thinking is a poor guide to action. On Somalia, Mr Clinton and the president are at one; on Bosnia, Mr Clinton has begun to sound the more hawkish of the two. In security matters, the president-elect has gone out of his way to insist that there will be continuity. This is likely to apply with particular force to the "no-fly zone" in southern Iraq and the northern exclusion zone protecting Iraqi Kurds. In both cases, humanitarian concerns march with international law. Under last year's resolution 688, the UN undertook to protect Iraqi Kurds and Shias against the worst excesses of Saddam's regime. Any use of Iraqi fixed-wing aircraft violates, in addition, the Gulf ceasefire resolution, 687, which provides for military enforcement of all its terms.

Enforcement of the exclusion zones in Iraq is already only partial. Allied air cover can protect Kurds and Shias from bombs and helicopter gunships and appears to have deterred Saddam from major ground offensives, but relief convoys in the north have been sabotaged, and in the south thousands of Shias have been arrested, tortured and executed and subjected to artillery attacks.

Saddam is prepared for a southern offensive as soon as international vigilance wanes, and boasted last week that he will crush the Kurds in the north so soon as the West removes its protective umbrella. The real question for an incoming American president is not therefore whether to maintain existing sanctions, but what further can be done to compel Iraq to cease flouting the authority of the United Nations and abandon, as is demanded of it, all claim to Kuwait. This week's incident is just one more reminder that the UN's job is incomplete, and may remain unfinished so long as Saddam sits in Baghdad.

TAILS OF THE RIVER BANK

Saving the otter is a paradigm for the conservation of us all

Welcome home, Tarka. The river Torridge, in north Devon, which for a generation has eddied blighted sludge, has been restored to rings of bright water. The sparkling river where Henry Williamson set his story of lutrine life once again has a healthy otter population breeding over four-fifths of the Torridge catchment, including parts where they have never been recorded before. Gavin Maxwell closed *Ring of Bright Water* with elegiac optimism, "Yet while there is time, there is the certainty of return." So it takes more than even the poisonous 20th century to drive otters away from English waters.

In 1927, when Williamson published his classic, the common otter or *Lutra lutra* was widespread throughout the United Kingdom. Since then its numbers have been decimated eight times, and it has been pushed back to the wilder fringes of the United Kingdom by industrial pollution, intensive farming and urbanisation.

The principal enemies of these shy creatures of the riverbank are chemicals. Pesticides such as DDT and dieldrin have been banned for years, but residues persist in fish eaten by otters. Polychlorinated biphenyls (PCBs), formerly used to make electrical equipment, persist in the environment for 60 years, and cause sickness and sterility in otters. The clearing of riverbanks of trees and undergrowth has cut back the habitat where otters can build their huts. Increased motor traffic on the rivers and country roads brings death to otters; and they drown in fyke nets, set for their favourite food, the eel, or are caught in traps set for their nastier riverine rivals, the minck.

The otter is one of the oldest and best-loved inhabitants of Britain — an affection not always felt by fishermen and bird-lovers. Before the Roman came to Rye, and up to

Corbridge strayed, the Old World native otter in its English rivers played. Before Williamson and Maxwell made it the archetypal anthropomorphised furry animal, with their minutely observed books in the peculiarly English genre of stories of animals treated as humans, the otter was part of country life and literature. Its story stretches back through Richard Jefferies and Gilbert White to a glossary of about 700 AD, which makes it one of the oldest names to be written down in English. Falstaff called Mistress Quickly an otter, as being neither fish nor flesh, so that a man knew not where to have her. It was an affectionate insult.

By its nature, the otter encourages humans to think warmly of it, because it does not do much harm (except to fish and small water fowl), and, with the cat, it is one of the few animals to enjoy playing games like, and with, humans. It will slide down banks of mud, or throw stones into the water and catch them as they sink. There is less enthusiasm for bringing back dangerous furry animals such as the wolf and wild boar.

In spite of imagined literary similarities, otters are not humans, nor are they quite as important as humans in the balancing acts of life. But a civilised modern society leaves space for its other inoffensive animal inhabitants. That is why there are no longer any other hunts on British waters, while there are 14 packs of mink hounds, and increasing, to keep down the unbalancing infestation of minks. British rivers would be bereft without the creatures — heron, salmon, otter, kingfisher — for which they have been celebrated since the earliest records. Tarka's return to Devon is a model of conservation, and should act as an example for the rescue of other endangered species, which include, in the long run, Man himself.

THE DAYS OF RECKONING

Christmas Past: a series on the unchanging face of the season.
Eight: From The Times of December 29, 1952

This, as they say, is it. Our parole has expired, the lubricant of procrastination has congealed upon the sands of time, we have crossed over into what so lately seemed the Never-Never-Land of "after Christmas". Its bleak landscape, varied only by the closely striated plateaux of our pending trays, is paved with promises waiting to be broken. How many times in the last four weeks, and in how many different contexts, have we said "Let's leave it until after Christmas". The suggestion was invariably popular. "Right," they said (for in their mind, too, the festive season loomed like some great battle on which all the energies needed to be concentrated and from which, it seemed probable, not many of the participants would survive). "I'll give you a ring as soon as it's all over." In an access of quixotry we amended this proposal. It was for us, we courteously but insistently insisted, to take the initiative. We would give them a ring. They should leave it to us. They did.

It is not that we are averse to establishing this contact. The idea of taking luncheon with them is in no way repugnant to us; we would gladly spend an hour or two inspecting their milking parlour, their studio, their

youth club or the establishment at which they manufacture supersonic flying machines. The trouble is that, collectively, they expect us to do all these things, and more. The backlog has got out of hand, the arrows of procrastination which we shot into the air have all fallen on the same small corner of the calendar. To communicate with all the people we undertook to get in touch with after Christmas would be a task which, though not impossible, might well jeopardise our convalescence; to communicate with only a few would be invidious. Most of us communicate with none.

The consequences of this failure to fulfil our social obligations are less grave than perhaps they ought to be. The days pass, and we continue to postpone telephoning to the people we said we would telephone to after Christmas. But their consciences are burdened by similar peccadilloes; and if the worst happens — if an expensive secretary rings up and says, in a pointed manner, "I see from Sir Tarquin's engagement book that he was expecting you to get in touch with him after Christmas," we can always reply, mously defiant, that the period under reference had not yet by any means expired.

Daunting future for railways

From Professor W. P. Bradshaw

Sir, The managers from the private sector who are to be brought in to run Railtrack, the new public-sector bureaucracy which will be responsible for railway track, signalling and timetables, face a daunting task (report, December 21). According to the white paper, *New Opportunities for the Railways*, Railtrack must earn a return on its assets which, it has been suggested, will be 8 per cent.

As the new managers attempt to do this they are likely to drive InterCity into loss and freight traffic away from the railways because neither business will be able to pay track charges consistent with such a financial target. Railways have very high fixed costs and it is quite impossible to adjust capacity proportionately to the loss in traffic.

The inevitable consequence is that the reduced levels of traffic remaining on the railways will in turn be unable to meet the increased share of the track costs which will be allocated to them. This will lead to a spiral of decline. Such a state of affairs is inconsistent with ministerial desires, reflecting public opinion, that increased use should be made of the railways.

The companies which the government hopes will come forward to operate franchises have already indicated that they will be unwilling to become involved in a business where they do not control such vital operations as timetable planning, track, signalling and stations. Certainly none are willing to invest in long-life assets such as rolling stock without long, stable franchises.

The chairman of BR is quite right to put the question of creating a climate for investment as probably the most important criterion against which any proposals to privatise the railways should be judged. Unfortunately government is focusing, far too narrowly, on creating an expensive bureaucracy which will engage in exercises like cost allocation and the creation of competition between train operators on the same tracks.

Instead effort should be devoted to the design of a franchise-bidding process which will seek out operators willing to invest substantially, over a long period, in modernising and expanding our railway system.

Yours faithfully,
BILL BRADSHAW,
Centre for Socio-Legal Studies,
Wolfson College, Oxford,
December 21.

Medical matters

From Dr T. E. Lear

Sir, Tom Sackville, the junior health minister, is reported (Infolink, December 11) to have told health service managers in Birmingham that in the long term doctors' notes, nurses' care plans and X-ray films are to be replaced by electronic records. Another part of the strategy, as reported, is to link computers in hospitals, doctors' surgeries and health authorities into a single national network.

This plan seems to test important principles. Medical records contain personal information which the doctor holds in trust. The doctor-patient relationship is often open-ended and permission to communicate information to others on one occasion does not imply on future occasions as well. How can a doctor pass his responsibility for discretion to someone unknown to patient and doctor alike?

Yours sincerely,
TERENCE LEAR,
140 St George's Avenue,
Northampton.

From Dr Maurice J. Healy

Sir, If you have a budget to GP fundholders most will reduce waiting times for their patients and make savings. If the same sum of money is given to hospitals, waiting lists increase and the money is never enough. Why?

Yours faithfully,
MAURICE HEALY,
Hornsey Rise Health Centre,
Hornsey Rise, N19,
December 23.

Bankruptcy anomaly

From Mr A. H. Dutton

Sir, Your report, "Experts call for end to Dickensian view of bankruptcy" (December 15), brings to mind another inquiry: chartered civil and structural engineers and, I believe, all members of similar institutions chartered under the privy seal, must be struck off if declared bankrupt.

While this is quite proper if the member has been fraudulent, in the current economic climate many will find themselves in this unfortunate position as a result of drastically reduced workloads failing to produce sufficient turnover.

To strike off those members who are victims of circumstance removes their ability to practise, and hence an opportunity to make amends and rebuild their lives.

Yours faithfully,
ANDREW DUTTON,
Oakbank, Bagshot Road,
Brookwood, Surrey,
December 15.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Cost of prisoners held in police cells

From the Director of the Howard League

Sir, The Auditor General has qualified his certificate on the Home Office accounts because of inaccuracies in police force claims for holding prisoners in their cells (report, December 23). His enquiry discovered one police force which charged £1,800 per prisoner per day.

The Howard League has been deeply concerned about the practice of holding prisoners in police cells for long periods. Our objection to the practice rests primarily on the grounds of poor conditions, lack of access to families and lawyers, and the lack of rights and standards for the prisoners.

We have also been concerned that police officers have been diverted away from their proper duties towards becoming long-term custodians, a task for which they are untrained and ill-prepared. I heard recently, for instance, that police officers local to our offices had to spend time searching charity shops for spare clothes for their prisoners. I was given to under-

stand that the officers were spending their own money.

Our third concern has now been raised by the Auditor General. Our own investigations have revealed that police forces round the country have become accustomed to relying on generous income from the holding of prisoners and charging inflated amounts. These funds are used to subsidise other areas of police activity. The moneys also fund regular and much appreciated overtime by police officers which is booked in advance and still paid even if the prisoners fail to appear.

The Howard League welcomes the Auditor General's qualification and the mooted enquiry by the House of Commons Public Accounts Committee. We believe that police cells are not the place to house prisoners and that the practice should cease forthwith on grounds of humanity and prudent fiscal controls.

Yours faithfully,
FRANCES CROOK, Director,
Howard League (for penal reform),
708 Holloway Road, N19.

Jail standards

From Sir Frederick Lawton

Sir, Judge Tunstall's report on the state of Long Lartin Prison (details, December 18) when he inspected it astonished and perplexed me. My astonishment arose from the steep decline in standards of order, tidiness, hygiene and discipline since the days, 50 years ago, when my father, who was a prison governor, used to show me around the establishments in his charge. He retired in 1956 as the governor of Wandsworth Prison.

My perplexity arises from the reluctance of the Home Office to return to the recruitment policy for both governors and uniformed staff, namely getting most of them from the armed services, which did ensure during the first half of the century that order and discipline were maintained in prisons.

Until about 1930 most prison governors were recruited from retired officers of middle rank in the armed forces; and the uniformed staff mostly from retired NCOs and petty officers. They knew how to control men who could not, or would not, discipline themselves and how to deal with disturbances when they occurred.

In the 1930s the Home Office stopped recruiting ex-army and navy officers as governors. The new recruits

had usually previously been employed in social work. The new policy had no effect for some years on order and discipline because the senior uniformed staff were as before. But after 1945 the uniformed service no longer attracted the same kind of men.

When between 1961 and 1972 I visited prisons in the course of my duties as a Queen's Bench judge I began to notice a decline from the standards which I had known in my father's time. When I enquired why, a governor told me that changing penal policy called for less "spit and polish" and more personal contact with those who were soon to be called inmates, not prisoners. Long Lartin, when inspected by Judge Tunstall, shows where this policy can lead; so, too, do last Saturday's events at Reading remand centre.

Maybe the penal regime which existed in the first half of this century did require change; but it is worth remembering that in the late 1930s the average daily population of all penal institutions was only about 13,000, in contrast to a present-day average of about 46,000. Can it be that the old-style staff were better at rehabilitation than the new?

Yours truly,
FREDERICK LAWTON,
1 The Village, Skelton, York,
December 28.

Speed and safety

From Mr Andrew Howard

Sir, Your leader ("Stop motorway mayhem", December 23) rightly stresses the need to change public attitudes to speed.

This effort should start with the young. Schools should be required to teach pupils to be responsible road users for the rest of their lives. New drivers can be influenced by ensuring that, during instruction, and the driving test, place a higher emphasis on drivers' attitudes.

Changing attitudes involves more than education, however. The car culture needs to change a little. Car advertisements, for example, must emphasise the more responsible elements of car ownership, rather than stressing the limits to which a car can be taken.

Finally, everybody needs to change. We must all accept that driving safely means occasionally being late. If we do, most of the pressure causing

drivers to join the "motorway mayhem" will be removed.

Yours faithfully,
ANDREW HOWARD,
(Head of Road Safety),
Automobile Association,
Farnham House,
Basingstoke, Hampshire,
December 23.

From Captain S. N. L. Emms

Sir, As a mariner, I was taught a simple rule-of-thumb method of determining a safe speed in fog or low visibility conditions: to proceed at such speed as to be capable of stopping within half the range of visibility. Thus, collision with another vessel could be avoided.

The application of this rule by drivers would stop motorway pile-ups.

Yours faithfully,
S. EMMS,
The Tower,
Lower Downing,
Whitford, Chwyd,
December 23.

Orchestral difficulties

From the Controller of BBC Scotland

Sir, Richard Watson's letter (December 19) about the proposal to merge the BBC Scottish Symphony Orchestra and the Orchestra of Scottish Opera is incorrect on a number of points.

I cannot agree with his assertion that the proposed merger makes a mockery of the joint Arts Council/BBC review of orchestral provision in the United Kingdom. That review provided the overall context for the issues debated by the SAC, the BBC and Scottish Opera.

As for secrecy, any announcement of conversations, far less negotiations, would have resulted in months of uncertainty for the orchestras, with destabilising effects. As soon as a workable proposal was drawn up it was put before the players for their consideration.

No decision on a merger has been taken. A proposal has been put forward for consideration. Wide-rang-

ing discussions lie ahead, during which all points of view will be considered.

Yours faithfully,
JOHN McCORMICK,
Controller, BBC Scotland,
Broadcasting House,
Queen Margaret Drive, Glasgow,
December 23.

From Mr Charles May

Sir, What a shame that the Royal Philharmonic and Philharmonia Orchestras have been treated in such a dismissive fashion by the Arts Council (report, December 18).

It seems that getting out on the road, taking quality performances to "the people", is less important than adding further to London's already crowded music programme, with the LSO and LPO tucked up warmly in their own "houses".

Yours etc.,
CHARLES MAY,
5 Vapron Road,
Mannamoor, Plymouth, Devon.

Piper's lament

From Mr J. S. K. Milne

Sir, The tradition persists, but the moving pibroch *MacCrimmon's Sweetheart* was not dictated in a series of dreams by an ancestral spirit ("On This Day", December 11, 1915).

It was composed by a piper to the MacDonalds of Clanranald, a dynasty more often than not at odds with the MacCrimmons' patrons, the MacLeods of Dunvegan, and is known in Gaelic as *Am Maol Donn*, the brown hornless cow.

The composer had been one of a party which unsuccessfully tried to extricate an old widow's cow from a

bog. The pibroch describes his emotions towards her plight on the loss of her only means of support.

This information derives from Andrew Carnegie's piper, the late Angus MacPherson, Laggan, Inverness-shire, whose grandfather, the so-called Pìobaire Cam or one-eyed piper, had learned this pibroch (by *canntaireachd*, that is chanted vocables rather than sheet music) from John MacCrimmon at his piping school in Boreiraig, Skye, early in the last century.

Yours faithfully,
J. S. K. MILNE,
The Arts Club,
40 Dover Street, W1.

Time to reassess forces reductions

From Admiral of the Fleet Lord Hill-Norton

Sir, I warmly agree with General Christison and the other Scottish generals who wrote to you (letter, December 15) about the folly of the reductions in the number of infantry battalions proposed in *Options for Change*. Indeed I know of no one in a position to understand these matters who does not agree.

Mr Tom King, when the Treasury persuaded him to publish this ill-judged document, may or may not have understood what its effects would be on our ability to discharge our politico-military responsibilities. Be that as it may, his white paper would have been more accurately entitled "Options for Fudge".

Clemenceau may or may not have been right in holding that war is too serious a business for the generals, but what is luminously clear is that the formation of defence policy is too difficult a business for politicians.

We must all hope that, before they take on any more open-ended military commitments, for political reasons, Mr Rifkind will be able to persuade his colleagues that *Options for Change* should be torn up, and the chief of staff invited to decide what the strength of the army (and, indeed, the other services) should be, if the defence and overseas policy of the government is to be successfully supported.

I remain, Sir, your obedient servant,
HILL-NORTON,
House of Lords.

From Brigadier P. R. E. Williams

Sir, The Scottish generals have professed a predictably tribal solution to army overstretch. A quicker alternative would be to call for volunteers from the territorial army to form regionally raised companies for the reinforcement of regular battalions, obviating the need to use regulars for this purpose and maintaining the integrity of units.

These territorials, commanded by regular officers, would come from areas of high unemployment and be embodied for a year, comprising shakedown training, an operational deployment and leave. Some regular redundancies might be deferred, and I know that many unemployed TA soldiers would jump at the chance.

Yours faithfully,
PETER WILLIAMS,
Croxson Old Rectory, Eltisley,
Huntingdon, Cambridgeshire.

Academic standards

From Professor P. S. Atiyah, QC, FBA

Sir, In his attack on the grant assessment system for British universities (article, Education, December 14), Professor Peter Scott worries that universities may become less interested in "scholarly reflection", so that "ideas may get crowded out". "Real excellence", he protests, "evades assessment". In that case how should universities appoint their own senior academic staff?

No doubt they could devote more attention to teaching abilities, but I have never sat on a selection committee which was not interested in evidence of "scholarly reflection" and of "ideas". All universities devoted to research use these criteria in making their appointments, so why should they be afraid to be assessed by the same criteria?

Yours sincerely,
P. S. ATIYAH,
75 Main Road, Long Hanborough,
Witney, Oxfordshire.

Timely signs?

From Mr A. Sangster

Sir, I recently attended a Law Society local government meeting in Church House where the vote on women priests was cast. I was bemused to see over the door entitled "Clergy Noes" a clock which was slow; and over the door for "Clergy Ayes" a green emergency sign for the exit, with a male figure running.

Yours faithfully,
A. SANGSTER,
(Headmaster),
St Edmund's School,
Hindhead, Surrey,
December 23.

Christmas bonus

From Mrs Angela Gibson

Sir, After years of being disappointed with the contents of crackers we decided to fill our own with contents to suit the recipient. My son did the filling and this Christmas I have received the best cracker present ever, a note saying: "Happy Christmas, Mum. I'm doing the washing up!"

Is it really necessary to spend a lot of money to get more than a paper hat and a bang?

Yours scrimpily,
ANGELA GIBSON,
Green Gable, 3 Cedarway,
Wimslow, Cheshire,
December 27.

Letters to the editor that are intended for publication should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

SOCIAL NEWS

Birthdays today

June Marchioness of Aberdeen and Temair, 79; Sir Richard Beaumont, diplomat, 80; Lord Beaverbrook, 41; Mr John Connell, former chairman, Distillers Company, 68; Mr Bernard Cribbins, actor, 64; Baroness Denton of Wakefield, 57; General Sir Robert Ford, 69; Professor L.C.B. Gower, former vice-chancellor, Southampton University, 79; Mr David Hall, former chief constable, Humberside, 62; Sir Simon Hornby, chairman, W.H. Smith, 58; Mr Gilbert Hunt, company chairman, 78; Mrs Rosalind Preston, former president, National Council of Women of Great Britain, 57; the Right Rev Mark Santer, Bishop of Birmingham, 56; Sir Kenneth Sharp, accountant, 66; Mr Harvey Smith, showjumper, 54; Mr Jon Voight, actor, 54; Sir Edward Williams, former commissioner-general, Expo 88, Brisbane, 71.

University news

University prizes
The following have been awarded:
Winter Williams Law Prizes 1992
First prize: Jonathan Riley, St John's College; second prize: Jane Esther Corvey, Pembroke College. Awards for meritorious works have been given to Susan Louise Davies, St John's College and Elizabeth Stokes, New College. Sara Norton Prize 1992
The prize has been awarded jointly to Dennis R. Hoover and Burt L. Monroe, both of Lincoln College.

London
St George's Hospital Medical School
Dr Sean Hilton, senior lecturer in the Department of General Practice and Primary Care has been appointed to the chair of General Practice and Primary Care upon the retirement of Professor Paul Freeling.

Bristol
Pro Vice-chancellor Professor G.M. Strrat to succeed Professor B.M. Bird as Pro-Vice-Chancellor for four years from August 1, 1993
Deans
Council has approved the election of the following as Deans for the session 1993-94:

Arts: Professor M.P. Costelloe; Social Sciences: Professor M. Beveridge; Medicine: Professor P.M. Keen; Science: Professor D.V. Evans.
Dr Richard Little, Senior Lecturer in the Department of Political and International Relations, University of Lancaster, to the chair in politics.
Dr P.R. Roberts, Reader in Pharmacology, Department of Physiology and Pharmacology, Southampton University, to the chair of Chemical Neuro-Pharmacology.

Appointment

Christopher Bernard Chandler and David John Owen to be joint District Judges, Mr Chandler for the districts of the Southend and Grays Thurrock County Courts and in the District Registry of the High Court at Southend from January 4, and Mr Owen for the Nottingham group of county courts and in the District Registry of the High Court at Nottingham, Derby, Mansfield, Chesterfield, and Leicester from January 18.

Britannia Royal Naval College, Dartmouth

The following Officers passed out from Britannia Royal Naval College on December 17, when the salute was taken by Admiral Sir Julian Oswald, Chief of the Naval Staff and First Sea Lord.

Naval College entry
Seaman: Sub Lt J O Freeborn, Sub Lt S Gardiner, Sub Lt C G Meeking, Sub Lt M R Reid, Mid A Bassett, Mid B D Bosley, Mid W A Coutts, Mid J R Dean, Mid I A Doran, Mid S Fairhead, Mid S F Hill, Mid S A Hoyle, Mid N Lancaster, Mid S Lawson, Mid A B Ley, Mid V A Mackay, Mid S A Miles, Mid R L Officer, Mid T D O'Leary, Mid N J Paul, Mid P S Roberts, Mid W R Sheehy, Mid T S Skeels-Piggins, Mid R D Smith, Mid M J Spooner, Mid A M Stevens, Mid M R Sutcliffe, Mid D A Thompson, Mid C G Ulickie, Mid J D Vink, Mid S D Walton.
Supply and Secretariat: Mid S A Coaker, Mid F Percival.

Direct graduate entry
Seaman: Sub Lt D J Ayres, Sub Lt J A Baisson, Sub Lt L J Chadfield, Sub Lt S B Cohen, Sub Lt E Cronie, Sub Lt C H Downes, Sub Lt M N Ellis-Smith, Sub Lt J C M Grose, Sub Lt A M Hygate, Sub Lt W A Killick, Sub Lt A P Markey, Sub Lt R Maxwell, Sub Lt P J McQueen, Sub Lt S K Moore, Sub Lt C J Osborn, Sub Lt C A Robinson, Sub Lt D Runkle, Sub Lt L M Staden, Sub Lt N M R Shears, Sub Lt S L Weston.
Supply and Secretariat: Sub Lt S M Joll, Sub Lt K L H Samuel, Engineer: Sub Lt C E Onklye, Sub Lt S P Roberts.
Instructor: Lt K J Arnold, Lt M Blackburn-Jones, Lt C B Cook, Lt M P Ellis, Lt D M Orton, Lt K R Robertson, Lt P C Spanos, Lt A L Taylor, Lt M A Tippet.

University College entry
Seaman: Sub Lt P A L Barnes, Sub Lt I R Lambert, Sub Lt I S D Macfarlane, Sub Lt M Polding, Sub Lt K J Rutherford, Sub Lt D J Smith, Sub Lt N P Welling, Mid M Dison, Mid J C Ollerston, Mid M A P Sewell, Mid A S Mills.
Observer: Sub Lt N J Ardinghall, Sub Lt A R Dishart, Sub Lt N W Froude, Sub Lt M S Robinson, Mid S Jones, Mid S A M Sutherland.

Airey Neave Trust

The trustees of the Airey Neave Trust have announced fellowship awards for 1992-3, sponsoring research at the following universities:

Nottingham University, to analyse the development of the International Covenant on Civil and Political Rights through the work of the Human Rights Committee.

Queen's University, Belfast, to determine the nature and extent of compensation for victims of violent crimes in other European jurisdictions. St Andrews University, the setting up of seminars for politicians to meet professional philosophers.

Architects told to save records

BY RAY CLANCY

ARCHITECTS are being urged to save their records because important historical documents are ending up in bins or being thrown out as more and more practices close down during the recession.

Rebecca Bailey, of the business Records Centre at Glasgow University, is collecting the records because of fears that they are being neglected and destroyed. Already she has found that a fifth of practices have documents dating from the 19th century and a further third from the first half of the 20th century.

"The last thing architects think about when they are going under is keeping their records. It can be costly to store them and all too often they are thrown out. There have been two quite horrifying cases of deliberate destruction. Two years ago the entire collection of an architect's practice in Aberdeen was put in a skip on the whim of one partner," said Ms Bailey. A collection in Dundee met the same fate.

The documents are being recorded, listed, and catalogued by the Scottish Survey of Architectural Practices and will be made available to the public. Ms Bailey, who has a degree in architectural history, believes it is the first and biggest survey of its kind in Europe. "Collections that have been destroyed undoubtedly contained documents not just of local importance but of national significance as well. Often they are whole records of towns and how they were conceived and built," she added.

One of the most important sets of plans to be uncovered is a collection of designs for cinemas in the 1930s. They were found in a storehouse where everything else had been carefully catalogued.

The records also contain interesting anecdotes from days gone by. There was a quantity surveyor in a Dundee practice who arrived at work every morning straight from his favourite public house accompanied by his personal barber who would shave him in the office. An Aberdeen architect started out laying tramlines in the city and went on to design a railway in China. A Glasgow architect made his name during his student days when he attended lectures wearing a bowler hat and white gloves and ate lunch from a picnic hamper.



A life in art: Edward Povey works on a mural depicting man's journey from childhood to old age commissioned by the University of Wales in Bangor for a concert hall. The artist, who has painted over 30 murals in north Wales, says the 600 sq ft work seeks to illustrate the path from purity of ignorance to the state of purity through knowledge

Roman coin hoard

Treasure buried by nobles as empire crumbled

BY NICHOLAS WATT AND NORMAN HAMMOND

■ The Roman treasure discovered in Suffolk last month has provided a fascinating snapshot of a lavish lifestyle in the dying days of the empire

WHEN Roman aristocrats salted away their treasures in a Suffolk field 1,500 years ago they had little idea their world was dissolving and they would never see their chests again.

As marauding Anglo-Saxons and a series of civil wars eroded their pampered lifestyle, they followed the Roman tradition of burying valuables to be retrieved once strife had died down.

In fact it took a millennium and a half before a retired gardener discovered the treasure inside the remains of a rotten box in a newly ploughed field at Hoxne, near Diss, last November.

Conservationists at the British Museum are now cleaning the jewellery and coins which have oxidised and are wedged together. Once their work is finished in two months time two archaeologists from the museum, Dr Catherine Johns and Dr Timothy Potter, will begin to study what one archaeologist described as "one of the

greatest finds of the late Roman period". The hundreds of silver spoons, strainers and gold bracelets discovered in the Hoxne hoard suggest the treasure belonged to a wealthy family. One of the miniature strainers has an inscription which reads *Faustina vivas* (long live Faustina) which may have been a reference to the Faustina family. They were linked with the nearby Roman town of Villa Faustina, now Soles in Norfolk.

Michael Wood, the historian, says: "In those days family silver really meant the family silver. It is unlikely the treasure came from a temple because we would expect to see liturgical artefacts such as a candelabra."

So many coins of such good quality were buried that

Roman pay packets may have been part of the treasure. The coins were from Honorius, the last Roman emperor to rule Britain from AD 393-423, and of his co-emperor, Arcadius, AD 393-408. The chest containing the treasure is believed to have been buried between AD 400-420 when Honorius withdrew the last legions from Britain to defend the core of the empire.

In its account of the twilight years of the empire the *Anglo-Saxon Chronicle* describes how Romans hid their possessions just when the Hoxne treasure was buried. Referring to AD 418, the chronicle, which was started in the 9th century and is the main source for Anglo-Saxon history, says: "In this year the Romans collected all the treasures which were in Britain and hid

some in the earth so that no one afterwards could find them and some they took with them into Gaul."

In the 5th century Romans in Britain were endangered by a confused mixture of invading Anglo-Saxons and fading local dynasties. Mr Wood says: "It was not just a question of long-haired Saxons raping and pillaging their way round the country. It was a time of crisis and intestine warfare. It was a bit like the post colonial situation in Angola where there was a return to old fields. Cities were collapsing, nobody maintained them and descendants of the old Iron Age took over in some areas."

The Romans in East Anglia were particularly vulnerable to Germanic attacks from across the sea. Their troubles were compounded when Rome, preoccupied with its own troubles, refused military aid to Britain in AD 410.

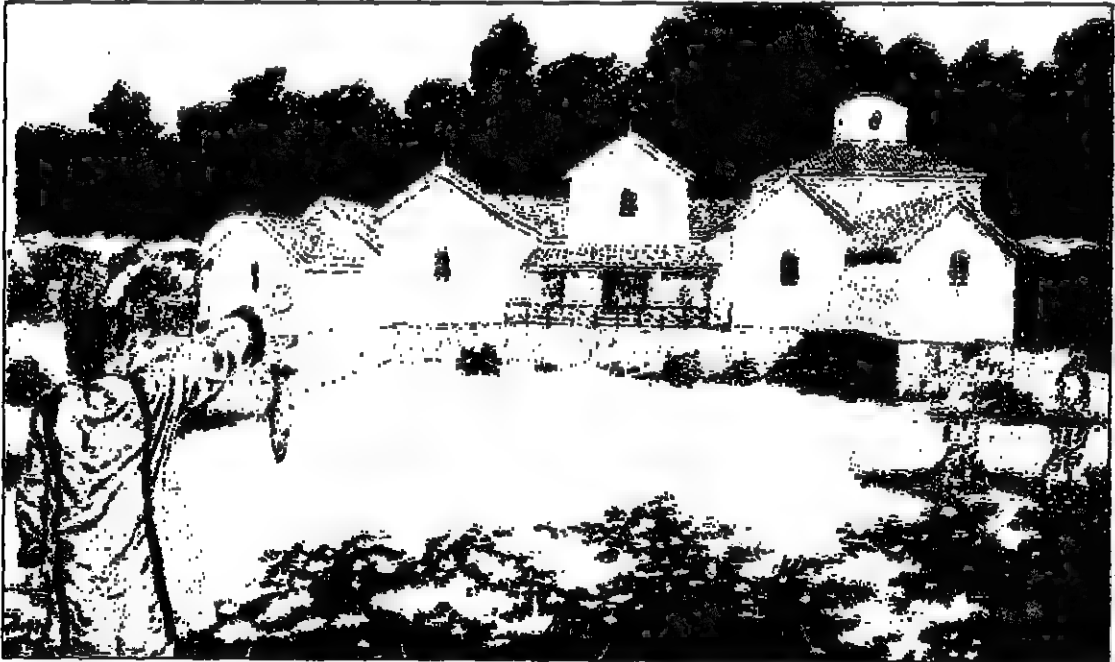
As the Romans' opulent lifestyle in Britain disintegrated they had to face a grim struggle to survive. Many were killed, others fled west to

Cornwall or Wales, although some did manage to assimilate into the local community.

This was a brutal contrast with their cosseted life in quiet times. Some Romans in the 5th century had accumulated such wealth that one woman, called Melania, had 100,000 slaves spread all over the empire. Her income in Britain rivalled imperial revenues.

The Suffolk Romans who buried the Hoxne treasure may not have been in Melania's league, but their lifestyle would have been sumptuous. Villas had hundreds of slaves and landowners, who inherited or were given estates as a reward for military service, probably did not have to bother with the day to day administration.

By a quirk of British law the ownership of the treasure is now sub judice until an inquest rules whether it belongs to the crown and is therefore treasure trove. For this to be granted a jury will have to be persuaded next year that whoever buried the treasure intended to recover it.



Lavish lifestyle: a typical Roman villa of the 4th century, this one in Kent, and a silver-gilt tea strainer found among the abandoned hoard



Latest wills

Mr Robert William Victor Gittings, of East Dean, Chichester, West Sussex, the literary critic, poet and biographer of Keats and Thomas Hardy, left estate valued at £128,453 net.

Mrs Rixi Markes, of London SW1, the first woman to become a bridge grandmaster, left estate valued at £326,275 net. She left a large number of bequests of effects and her home to personal legacies.

Her money in her Bridge account in the Woolwich Building Society to Gerry Knight, of London W14, to be used in accordance with her wishes to continue in her name the Duplicate Contract Bridge events initiated by her, namely the Lords v Commons and the Eastern Guardian Congress, £1,000 to the Westminster Synagogue, for charitable purposes, the portraits of herself and Lord Lever by Judy Cassab, to the National Portrait Gallery, and the residue to the Weizmann Institute Foundation, London, in memory of herself, and "my sister Eugenia Heller, her son Herbert Alfred and her husband Ignacy, who were killed in Lwow, Poland, by the Nazis at an unknown date."

Sir Joseph William Weld, of

Lulworth Manor, Wareham, Dorset, Lord-Lieutenant of Dorset 1964-84, and High Sheriff 1951, Chairman of the Wessex Regional Health Authority, the Dorset branch of the County Landowners' Association and of the South Dorset Conservative Association, left estate valued at £153,691 net.

The Dowager Lady Letitia Sibell Winifred Holme, of Dalton Holme, Beverley, North Humberside, Lady-in-Waiting to the Duchess of Gloucester 1935-37, and at one-time a mezzo-soprano with the D'Oyly Carte and Carl Rosa opera companies, widow of the 7th Lord Holme, left estate valued at £135,382 net.

Sir Lionel Henry Lamb, of Haringfordbury, Herefordshire, former Ambassador in Switzerland and Charge d'Affaires in Peking, left estate valued at £397,408 net.

Miss Maud Spurrell Collings, of Torquay, Devon left estate valued at £993,093 net. She left her entire estate equally between the RNLI and the International Red Cross, Geneva.

Sir Walter Stewart Howard of Leamington, Warwickshire, former chairman of Warwickshire County Council, Trustee of Shakespeare's birthplace, and Deputy and Rector of Warwickshire, left estate valued at £282,182 net.

Mrs Gertrude Muriel Lamb, of East Markham, Nottinghamshire, left estate valued at £1,123,279 net. She left £5,000 each to Archie McGlen, Ernest Bean and Pat Atkins, all present or past employees of hers or of her late husband and the remainder of her estate mostly to relatives.

Mrs Florence Ila Scott Skirving, of Sevenoaks, Kent, left estate valued at £605,158 net. She left £37,000 and any motor car she may own to personal legacies, and the residue to the RNLI, towards the purchase of a lifeboat.

Mr Frank Ostry of Disley, Cheshire, left estate valued at £1,123,279 net. He died intestate. Brigadier Terence Hugh Clarke, of Chichester, West Sussex, former Conservative MP for Portsmouth West, and a director of the public relations firm of Colman, Prentiss and Varley, and of Stirling & Co, left estate valued at £180,965 net.

Miss Kathleen Elsa Fell, of Budleigh Salterton, Devon, formerly of Lympstone, left estate valued at £672,951 net. She left personal legacies totalling £15,000, £5,000 to the Artists and Rhetoricians Council, and the residue equally between the Imperial Cancer Research Fund and Sue Ryder Foundation.

Other estates include (net, before tax): Mr Wilfred Neale, of Shrewsbury, Salop, £571,666; Mr Arthur Cecil Joyce Haxley Sharpe, of Wokingham, Surrey £571,666; Mrs Florence Ila Scott Skirving, of Sevenoaks, Kent, £555,391; Mrs Betty Lee Smith, of Woodbridge, Suffolk, £584,744; Mrs Dorothy Emma Thompson, of Painswick, Gloucestershire, £581,574; Mrs Patricia Elizabeth Barham, of Rolvenden, Kent, £769,310; Mr Henry William Blackaller, of Steep, Petersfield, Hampshire, £16,545; Mrs Edith Louise Chaldeas, of Nantgaradig, Carmarthenshire, Dyfed £500,122.

Gales blow in rare US birds

RARELY-seen species from North America are making the Christmas holiday a busy season for birdwatchers.

The latest attraction is a pied-billed grebe on Druridge Pool Nature Reserve, near Cresswell, Northumberland, which has been watched by hundreds of enthusiasts since its weekend discovery. Another of these chunky, diving waterbirds has been present at the opposite end of the country, at Argal Reservoir, near Falmouth, Cornwall, since last month.

Both are thought to have been gale-blown across the Atlantic while migrating south from Canada during the autumn. Before this year there were only 13 accepted records of this species in Britain and Ireland.

Meanwhile a white-throated sparrow, also most likely to be from Canada, is continuing its stay at Willingham Woods, near Market Rasen, Lincolnshire, where it was found about three weeks ago.

Other transatlantic visitors reported around the country over the weekend include four surf scoters, a type of sea duck, off Scotland's Fife coast, three in Largo Bay and one in St Andrews Bay.

In Grampian region, two snow geese were seen near Fraserburgh while, in England, ring-necked ducks were reported from Drift reservoir, near St Just, Cornwall, and on the River Kent at Kendal, Cumbria.

The Bird Information Service yesterday also reported the presence of an American Forster's tern, a seabird recorded in UK waters just 20 times before, at Ballyvaughan, Co Down, and a ring-necked duck at Killarney, co. Kerry.

Anniversaries

BIRTHS: Charles Macintosh, pioneer of water-proofing, Glasgow, 1766; William Ewart Gladstone, prime minister 1868-74, 1880-85, 1886 and 1892-94, Liverpool, 1809; Pablo Casals, cellist, Vendrell, Spain, 1876.

DEATHS: Thomas à Becket, Archbishop of Canterbury 1162-70, murdered in Canterbury Cathedral, 1170; Thomas Sydenham, physician, London, 1689; Brook Taylor, mathematician, London, 1713; Christina Rossetti, poet, London, 1894; St William Ocker, physician, Oxford, 1919; Rainer Maria Rilke, poet, Valzen, Switzerland, 1926; Eder Phillips, novelist, Broad Chyl, near Exeter, 1960; Paul Whiteman, bandleader, Doylestown, Pennsylvania, 1967; Maurice Harold Macmillan, 1st Earl of Stockton, Prime Minister 1957-63, Staines, 1986.

The Irish Republic changed its name to Eire as the new constitution was implemented, 1937. German planes dropped 10,000 bombs on London, 1940. The first transistor hearing aid went on sale in America, 1951. A coelacanth, a prehistoric fish believed to be extinct, was caught off the coast of South Africa, 1952.

Knighthood

Mr Justice Colman, QC, is to receive a knighthood on his appointment as a Justice of the High Court.

OBITUARIES

LORD EDMUND DAVIES

Lord Edmund-Davies, PC, High Court Judge, 1958-66; Lord Justice of Appeal, 1966-74; and a Lord of Appeal in Ordinary from 1974 to 1981, has died aged 86. He was born in Mountain Ash, South Wales, on July 15, 1906.

AMONG the most distinguished criminal lawyers of his generation, Lord Edmund-Davies will be remembered by the public at large — and by a grateful police force — for his achievements in three widely differing judicial spheres. He first caught the popular imagination in 1964 when he presided at the trial of those charged with what has come down in the annals of crime as The Great Train Robbery, and the sentences he handed down to the 12 men convicted of stealing £2½ million from a Glasgow-London mail train have acquired something of a mythological status for their uncompromising severity.

He next came before the public in a very different light. As a Welshman it was a peculiarly poignant matter for him to be appointed to chair the Tribunal of Inquiry into the Aberfan Disaster in 1966 — doubly so as he was himself a native of nearby Mountain Ash and had affinities with those who found themselves so cruelly bereaved when slag from a coal tip buried a village school.

Edmund-Davies's third difficult judicial task arose from his chairmanship of the Home Secretary's Police Inquiry which sat between 1977 and 1979. On the question of police pay, the most important and contentious part of the committee's deliberations, Lord Edmund-Davies was generally acknowledged to have done right by the force when he recommended substantial pay rises for police officers — indeed to have acted with some courage in making those awards both more generous and more speedy to be implemented than the government of the day might, strictly speaking, have wished them to be.

But these were merely three particularly emotive milestones in a career which took Lord Edmund-Davies from school in Mountain Ash, through a distinguished career at the criminal Bar, war service in the legal branch of the Army and recorderships in his native Wales to eight years on the



criminal bench, eight years as a Lord Justice of Appeal and finally seven years as a Law Lord. Among his peers Edmund-Davies was remarked not only for the wisdom of his judgments but for a brilliancy of intellect which had shown itself from his earliest days, and which would have guaranteed him a career in academia had he not chosen the cut and thrust of the outside world and the criminal courts.

He was born Herbert Edmund Davies, the third son of Morgan John Davies and Elizabeth Maud Edmunds. After attending Mountain Ash Grammar School he went first to King's College, London, and then to Exeter College, Oxford. He took his

LLB (London) and became a postgraduate research scholar in 1926. He was placed first in the first class in the Bar finals examination. He became LL.D. (Oxon) and Vinerian scholar in 1929, the year in which he was called to the Bar by Gray's Inn. He also lectured and examined in law at LSE for the year 1930-1. As a barrister he built up a thriving practice in Swansea in the 1930s.

With war clouds gathering, he joined the Army Officers' Emergency Reserve in 1938 and in 1940 he was commissioned into the Royal Welch Fusiliers. But he was soon seconded to the Judge Advocate General's department and spent the latter part of the

war as Assistant Judge Advocate General with, from 1944, the rank of lieutenant-colonel. In tandem with his military duties he had also been Recorder of Merthyr Tydfil from 1942 to 1944 and he was subsequently Recorder of Swansea from 1944 to 1953 and of Cardiff from 1953 to 1958, the year in which he became a High Court Judge, Queen's Bench Division.

At the Bar on the Welsh circuit the forensic skills as a defence lawyer of Mr Edmund Davies (as he then was) often made the headlines; in 1952 he successfully defended Widow Roberts in the locally celebrated "Weedkiller Trial" at Swansea, while in the following year, at Glamorgan Assizes held at Cardiff, he

represented the defendant against a colourful prosecution for a murder committed at Laugharne. This was endorsed by the poet Dylan Thomas as having a word to say for the good character of the accused. The trial was the more remarkable for the fact that the accused, who was a deaf mute, did not, when the not guilty verdict was rendered, at first realise that Davies's advocacy on his behalf had been successful.

On the Bench Mr Justice Edmund Davies became as noted for the incisiveness of his judgments as he had been for the shrewd nature of his pleadings at the Bar. To this were allied qualities of tact, patience, lucid intelligence and stamina which made him the ideal man to preside over long, complex trials. As a judge he expressed his philosophy thus: "There are those who speak and write as though the sole object of the punishment is the reform of the accused. I think this is so exceptionally benevolent as to be capable of being positively mischievous." This might seem to place him on the conservative wing of the judiciary, but he always felt that the concern he genuinely had for the rehabilitation of prisoners ought to be balanced by a concern for society at large and the damage suffered by those of its members who were victims of crime.

This showed itself in what was his most famous trial, at Aylesbury, that of 12 men charged with stealing £2½ million from a mail train in Buckinghamshire in August 1963. In sentencing the 12 convicted men to a total of 307 years imprisonment — seven of them for 30 years each — Mr Justice Davies made it clear that he felt the men ought not to be allowed to benefit from the ill-gotten gains of their crime, which they might, if given only short sentences. This approach raised eyebrows in some quarters, but it was based on a deeply-meditated philosophy of sentencing and not on an emotional reaction. Indeed, the judge's evident understanding of the psychology of the leading members of the accused in this case won him wide admiration.

One of Edmund-Davies's first tasks on being appointed a Lord Justice of Appeal in September 1966 was to head the public inquiry into the circumstances of the Aberfan disaster in which 144 people,

including 116 children, had been killed. This was an emotive task for a man who had been brought up in the ethos of the valleys, but the choice of someone from such a background was welcomed as a sign that there would be no whitewash. In the event the report of the tribunal placed the blame for the disaster squarely on the National Coal Board and its officials and concluded that the tragedy "could and should have been prevented". The tribunal, in a report which pulled no punches, accused coal board officials of repeatedly disregarding warnings about the safety of the tip, even though a bad slide had already occurred there.

The tribunal recommended a national tip safety committee to coordinate research, an inspectorate of qualified civil engineers and fresh legislation to protect the public. In all, his stewardship of the tribunal strengthened Edmund-Davies's reputation as a man of compassion as well as of forthrightness.

This sense of fairness continued to be in evidence when he became a Law Lord. His forthright approach to the problem of the state pay was much admired as being the only honest solution to the problem. Settlements which in some cases meant rises of 45 per cent over two years for individual officers drew hardly any public or press criticism even in a period of extreme economic hardship for the country at large during the twilight of the last Labour government: this was a tribute to Edmund-Davies's grasp of the deep-seated nature of the police grievance over pay. The ladies on the force were not quite so impressed when, in the following year, Edmund-Davies came down against too great an increase in the number of women police officers on the grounds that the force was not strong enough to carry out its duties as effectively as the male.

Retiring in 1981, Edmund-Davies continued active, not relinquishing the pro-chancellorship of the University of Wales which he had held since 1974, until 1985. He was a life governor and fellow of King's College, London, and an hon fellow of Exeter College, Oxford.

His wife, Ewurwen, whom he married in 1935, died last year. He leaves three daughters.

APPRECIATIONS

Ralph Izzard

YOUR obituary of Ralph Izzard (December 15), while comprehensive, could hardly have encompassed all aspects of his often extraordinary behaviour, nor, indeed, his charity in applying such amazing breadth and depth of knowledge of the Middle East mosaic to the benefit of non-journalist colleagues and friends.

In 1975 I arrived in Bahrain, recently having left the Army at 28 and, although an Arabist, without commercial experience. My job was to set up, from scratch, a public/government relations operation, on a pan-Arab scale, for Cable & Wireless.

Introduced at a Reuters party, I was quickly taken in to "make a few introductions" around my somewhat daunting new patch. While I knew his status as semi-retired doyen of the Middle East press corps, I quickly learned his real seniority and value when his first introduction turned out to be The Ruler, Ministers of information, commerce, communications and the odd head of state featured in Izzard's induction course, throughout the Gulf and in Egypt and Lebanon.

A year later, having organised the state inauguration of Yemen's first satellite station in Sana'a, I found myself faced with the tricky task of entertaining a group of very senior and hyper-cynical journalists who, having covered the event, were already bored with public excursions in Nasser Square and had two days to wait for the next plane out.

Ralph suggested a diversionary trip to the pre-Biblical Marib Dam (on which he was, of course, an expert) and I chartered a 40-year-old Dakota from Al Yemda, complete with a Chinese communist pilot who was the sole crew. Having loaded cases of champagne and other "technical equipment" in front of bemused Hajjis (who at one point mistakenly thought we were flying to Mecca and tried to storm the plane) my press



party set off for the very foundation of Arabia Felix. We landed on the main road near the dam and after a somewhat desultory dissertation by Ralph, which interrupted a serious picnic, we took off for the flight back to the medieval capital. Drink had been taken.

A substantial party developed at the rear of the plane and, as we glided down through the 14,000 foot mountain passes, banking and diving while those who could still see looked up at the precipitous craggs, the UPITN man pointed out that the pilot had joined our revelry. A Scottish correspondent was dispatched to the cockpit to see who, if anyone, was doing a very good impression of a fighter ground-attack approach.

And there was the elderly AFP/Mail chap, Panama-hatted and red-silk neckerchiefed, dutching the control column and a very large glass of whisky with equal ferocity. It is not recorded if Ralph Izzard had any flying qualifications (and, in any case, the Chinese pilot was persuaded to resume his duties).

Many years later, when I was advising General Aoun in Lebanon, I rang Ralph at his home in Tunbridge Wells, and his vociferous recommendation was "...have nothing to do with the Camel Corps at Clive House..."

He was right.

Bill Bird

Richard Tompkins

WITH regard to the obituary of Richard Tompkins (December 9), I was chairman and chief executive of Tesco at the time that we ceased to run trading stamps, and I must agree that Richard Tompkins was not only a major influence in British retailing in the 1960s and 1970s, he was also an exceptionally honourable man. One incident typifies his decency and straightforwardness.

In June 1977 I told him that Tesco were discontinuing the Green Shield contract that had been so successful for each of our companies. We felt it was time to change. Inflation was the number one public worry, we launched an advertising campaign under Sir John Cohen's name the company's founder, stressing no gimmicks just high quality and low prices. Tesco reverted to its traditional appeal as a value for money grocer.

It wasn't easy to break the news to Richard. We had worked closely together. I knew our decision would hurt him. But not as much as it did, for when I finally got through to him his immediate reaction was to point out that 12 months notice of cancellation was required.

But this was not the case. The 12 months rolling notice period only applied to his side of the contract, not ours.



We enjoyed having a fixed renewal date. It was up seven days later.

Despite the shock waves our decision must have caused his business, Richard accepted the facts with remarkably good grace and always remained a good friend of Tesco. There was no bitterness, no recriminations.

His work for charity was also outstanding. It was a pleasure to have known him.

In your article there was a mention that there was an internal power struggle at Tesco, no such power struggle occurred and in fact we actually used a very large advertising campaign, as I have said above, using Sir John's photograph to keep the record straight.

Sir Leslie Porter

The Rev Alan Ecclestone

YOUR obituary of Alan Ecclestone (December 17) is very informative, but the passing reference to "the participatory parish meeting" does not do justice to his pioneering of a

movement which has transformed the entire Church of England — namely the Parish Communion (with parish breakfast) as the only service on a Sunday morning, an experience uniting the whole congregation.

Dr Chad Varah

SIR AUBREY ELLWOOD

Air Marshal Sir Aubrey Ellwood, KCB, DSC, AOC-in-C, Bomber Command, 1947-50, died on December 20 aged 95. He was born on July 3, 1897, at Oakham, Rutland.



THE man put in charge of Britain's first line of defence at the beginning of the Cold War, Aubrey Beauclerk Ellwood began his career as a fighter pilot in the first world war when he shot down eight enemy aircraft. He was one of the last survivors of the Royal Naval Air Service.

The son of a rector, he was commissioned in the air service in 1916 and was awarded the DSC in April 1918 when he transferred to the Royal Air Force, was given a permanent commission and was sent to India for four years.

Returning home, he spent six years on technical duties at the RAF training school in Buckinghamshire before returning to India on flying duties and later as squadron commander for a year. He was then transferred to staff duties, at first in India and subsequently in Britain at the headquarters of Fighter Command.

An instructor at the RAF staff college for several years,

he returned to Fighter Command in 1940 and then became deputy director of bomber operations at the Air Ministry.

Throughout the critical year of 1943, when the U-boat offensive was tackled by the Navy and Coastal Command, he commanded a Coastal Command group in Scotland. He later declared in a lecture to the Royal United Services Institution that the U-boat menace was never defeated and that it strained Allied forces to the utmost even to keep the situation in hand when only 13 of the German submarines were on patrol.

In March 1944 he became senior air staff officer at Coast-

al Command headquarters until just after victory in Europe. During the period while the invasion of France was being organised the main responsibility of the command was to help clear the invasion area and its sea approaches. It successfully protected hundreds of Allied vessels and the U-boats were able to sink only nine ships of the invasion fleet and damage another seven.

With the cessation of hostilities he returned to the Air Ministry as director-general of personnel and in 1947 was put in charge of Bomber Command, then a shadow of its wartime self and suffering in the aftermath of rapid demobilisation. It was short of aircrew and experienced ground crew and its aircraft, chiefly Lincolns and Lancasters, were obsolete.

When the Air Secretary, Arthur Henderson, told the Commons in 1948 that bombers were Britain's first line of defence against the growing Soviet danger, this made Ellwood the key man in the nation's security. Less than a year later the first jet bombers were ordered and he oversaw the service's expansion.

Ellwood married Lesley Matthews in 1920 and they had two sons and a daughter. His wife died in 1982.

ERIKA BRAUSEN

Erika Brausen, one of the most influential London art dealers in the 1950s and 1960s, died in London on December 16 aged 84. She was born in Düsseldorf on January 31, 1908.



BETWEEN 1950 and 1970 the Hanover Gallery, just off Hanover Square, was the first point of call in London for anyone wishing to know what was new and good in art. Its summer shows could always be relied on to include major works by Henry Moore, Alberto Giacometti and others such as Marino Marini and Louise Nevelson, who were first introduced to the British public by the gallery.

All of these artists became personal friends of the Hanover's director, Erika Brausen. They appreciated her enthusiasm and when Moore was becoming the most famous sculptor in the world he always gave her first choice from his studio for her exhibitions.

Nor was she interested only in grand, established figures. She was one of the few gallery directors never to be afraid of making mistakes and was always open to the work of newer, younger, untried artists. If the artist failed to develop, that was unfortunate — but frequently her first

responses were totally justified. She established long associations with César after giving him his first London showing and with Eduardo Paolozzi, climaxing in the major retrospective she arranged in Düsseldorf in 1965.

Educated in Düsseldorf she went to study in Paris when she was 20, shocked at the way her contemporaries in Germany were anticipating in their anti-Semitism the coming to power of the Nazis. In Paris she worked with a left-bank bookshop, staging art events and small exhibitions in the basement. She was in Spain during the civil war not because she supported either side but because people there

needed help and she felt impelled to offer it.

She came to London in 1939 and worked with Eardley Knollys in his Storrans Gallery in Albany Court Gardens. From there she graduated to the Rothern Gallery, and in 1948 she opened the Hanover Gallery in partnership with the wealthy American emigré Arthur Jeffrey. Their tastes were very different, and before long the partnership broke up, Jeffrey going off to set up his own gallery. At this point the banker Michael Behrens wandered into the Hanover Gallery, got into conversation with Erika and by the end of the afternoon had agreed to give financial backing.

The vital new movements in European art were beginning to filter into a Britain rendered conservative in its tastes by years of wartime isolation. Erika, with her wide artistic contacts throughout Western Europe, was the perfect person to remedy this and the trend-setting exhibitions came thick and fast.

Financial problems forced her to close the Hanover Gallery finally in 1973, but she continued to work with the Gimpel-Hanover Gallery in Zurich until that closed in 1984. Thereafter she lived quietly in London.

Thefts from Selfridge's

At Marlborough-street, before Mr. Denman, Kathleen Dorothy Nicholson, 32, governess, Upper Portchester-street, W., was charged on remand with stealing a silk blouse, 14 handkerchiefs, 10 books and a bottle of scent, belonging to Messrs. Selfridge and Co., Oxford-street, W.

Mr. Denman said the case was a very sad one, but he felt no sympathy with the prisoner, who had provided herself with a carefully-prepared bag to carry out the thefts. She was a person of education and ought to have known better. She would have to go to prison for three months in the second division.

Ellen Wilson, 51, shabbily dressed, was charged on remand with stealing a fancy belt, two pairs of gloves, four brooches, a pendant, a pencil-case, and other articles, together of the value of £5, the property of the same firm.

She refused to give her address, saying she did not wish to get her

ON THIS DAY

December 29 1910

A "shabbily-dressed woman", a woman "well dressed and wearing furs", and a governess were all sent to prison for three months for stealing items from Selfridge's store in Oxford Street, London.

daughter in disgrace. She was sentenced to three months' imprisonment in the second division.

Jessie Reeves, 42, well dressed, wearing furs, described as a married woman, living in Stroud Green-road, N., surrendered to her bail to answer the remanded charge of stealing eight handkerchiefs, two handbags, two silver chain purses, and other articles of the value of £3 15s. 9d., the property of the same firm.

A solicitor who appeared for the

defence said that the day before the affair the prisoner had been to see her brother who was confined in a lunatic asylum. The interview appeared to have upset her terribly, and when she visited Selfridge's, she could not have known what she was doing.

Mr. H.G. Wells, a clerk in the Post Office, said he knew the prisoner through attending the same church. She had hitherto borne the highest character.

Mr. Denman said the difference between this case and the others was that the defendant was apparently more comfortably off. Yet so great was her desire for finery and extravagance that she was found stealing these articles. It was suggested that she was not responsible, but he could not accept that plea. It would be most unjust to the other defendants if he made a distinction of this case. It was a serious thing to find persons of education and position time after time doing this sort of thing. She would have to go to prison for three months in the second division.

Church news

Resignations and retirements
The Rev Canon Austin Masters, Canon Residentiary of Hereford Cathedral, Bishop's Co-ordinator for Ministry, and a Prebendary of Hereford Cathedral (Hereford): to retire as from June 30, 1993.

The Rev Graham Lynch-Watson, Vicar, St Paul's, Warwick (Coventry): retired as from August 31.

The Rev Don Philpott, Vicar, St Mary Magdalene, Lillington (Coventry): retired as from October 31.

The Rev Derrick Tooby, Vicar, St Andrew's, Eastern Green, Coventry (Coventry): retired as from October 30.

The Rev Canon Desmond Treanor, Rector, Great Bowden, Welham, Glooston and Cranoe (Leicester): to retire as

from April 30, 1993 (resigning as Rural Dean of Gartree) as from March 31, 1993).

Church of Scotland

Induction
The Rev Christopher Legard to Boyndie with Ordiquhill and Cornhill.

Ordinations and Inductions
The Rev Richard T Corbett to Broxburn.

The Rev James S A Cunningham to Barlanark Greyfriars, Glasgow.

The Rev Carleen Robertson to Eassie & Neveay with Newtyle.

The Rev Margaret Yule to Radnor Park, Clydebank. Ordained and introduced.

The Rev David Miller, Associate Minister at Fairmilehead, Edinburgh.

The Rev Florence Underwood, Assistant at Gladsmuir with Longniddry, East Lothian.

Introduced
The Rev Alexander M Rodger, Prison Chaplain.

Translations
The Rev James S A Cowan from Cockenzie and Port Seton Old to Ardgowan, Greenock.

The Rev William Longmuir from Cairns, Lanark to Bedrule with Denholm with Minto.

The Rev Fraser M C Stewart from Ardler, Kettins & Meigle to Kynnyllies, Inverness.

The Rev G Alan S Stirling from Hilton, Inverness to

Leochel Cushnie & Lynturk with Tough.

Retirements

The Rev Ian M W Collins from Central Parish Church, Darvel.

The Very Rev William J G McDonald from Mayfield, Edinburgh.

The Rev John H Robertson from North Parish Church, Salcoats.

Churches in Wales

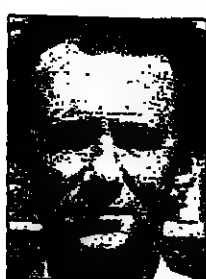
The Rev John Glover, Chaplain for the Children's Family Trust has been nominated as Incumbent of Halkyn, Caerfallowch and Rhesycae.

The Rev Roger Brown, Vicar of Tongwynlais (Llandaff), to be Vicar of Welshpool and Castle Caereinion (St Asaph).



SPORT 17-22

Aqib Javed given first ICC suspension



BUSINESS 28-32

Anatole Kaletsky reflects on his 1992 predictions



ARTS 23-25

Eileen Atkins: theatrical magic of the year

TELEVISION AND RADIO
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THE TIMES 2

TUESDAY DECEMBER 29 1992

Coventry collapse at Old Trafford as Premier League favourites get into their stride

Superb United step up title challenge

Manchester United.....5
Coventry City.....0

By LOUISE TAYLOR

A CROWD of more than 36,000 left Old Trafford yesterday convinced that they had been watching the inaugural Premier League champions, Manchester United. An irresistible attacking performance, prompted by an outstanding display from Paul Ince in midfield, reduced Coventry to no more than hapless victims.

Goals from Ryan Giggs, Mark Hughes, Eric Cantona, Lee Sharpe and Denis Irwin extended United's unbeaten run to seven matches and left them second in the Premier League, three points behind Norwich City, the leaders, who were held to a goalless draw by Leeds United.

As Bobby Gould, the Coventry manager, said: "We were beaten by a very good side. I feel I am six years and £60 million behind Alex Ferguson [the United manager]. Some of their football was a delight to behold and Paul Ince was a colossus in the midfield, while Cantona has added a new dimension up front."

United's 2-0 half-time lead flattered Coventry's supine performance. Without detracting from United, it was hard, very hard, to believe that Coventry had put eight goals past Liverpool and Aston Villa in their last two games or that Mick Quinn, who barely got a touch yesterday, had scored ten times in his last six matches. Indeed, Steve Ogrizovic, the goalkeeper who is being replaced by the first team by Jonathan Gould, the manager's son, must have been mightily relieved to be seated on the substitutes' bench.

To his credit, Gould Jr undoubtedly kept the score down, limiting the damage with a string of fine saves — one from Hughes in particular sticking in the memory. In front of him, the overwhelmed Coventry defence had Gould Sr repeatedly on his feet, despairingly jabbing his fingers in their direction.



Floored: Crosby, of Nottingham Forest, left, finds Thorsvold and Edinburg, of Tottenham, blocking his path at White Hart Lane yesterday. Report, page 19

Kenny Sansom, Coventry's veteran left back, will not relish watching the match video. He was given a thorough working over by Giggs and must have been left dizzy by the young Welshman, deployed on his less-preferred right-wing. It was Giggs who gave United the lead after six minutes. Ince carved himself a path down the left and crossed for Cantona to attempt a header. Coventry partly cleared the danger, but, before they could breathe a sigh of relief, Giggs, lurking on the right, curled a shot just inside the far post.

Mavericks they may be, but there was nothing to suggest

that Hughes and Cantona cannot function fruitfully in tandem. Quite the contrary: both could have had two goals apiece before Hughes made it 2-0 after 40 minutes. Giggs went down the right before cutting inside Sansom, and Cantona fed the ball to Hughes, whose shot eluded Gould. It was Hughes's eleventh goal of the season and his fifth since the Frenchman's arrival from Leeds.

The gulf in class was emphasised in the 64th minute, when Babb handed Parker's cross in the area and Cantona converted the penalty. Fourteen minutes later, Cantona prompted further

choruses of "Ooh ah" by creating United's fourth for Sharpe to beat Gould from six yards. It was Sharpe's first goal of the season and, Ince apart, he was a strong contender for man of the match.

Sharpe was, understandably, delighted with his effort. "I have been disappointed not to have scored in the last few games and it's nice to get off the mark and I have not taken part in a better team performance," he said. "It is so much easier to play when the team is performing like that. We all work for each other and there is a great team spirit."

By the time Irwin claimed No. 5 in the 87th minute, no one inside Old Trafford believed the championship could possibly go anywhere else. Indeed, few outside thought that either. As the result echoed around the country, United's title odds were cut by William Hill from 2-1 to 7-4 clear favourites.

Alex Ferguson was the exception. "After what happened to us last season, I am not making any predictions about the championship," the Manchester United manager said. "But the fact we created about 15 chances underlined the confidence in our side. I was apprehensive about Cov-

entry because, with players like Mick Quinn, they have a lot of goals in them, but our passing was good and we didn't let them into the last third of the pitch. I enjoyed it."

Perhaps he should send Norwich, Aston Villa and the rest of his rivals a copy of the match video.

MANCHESTER UNITED: P. Schuster; P. Parker, D. Irwin, S. Bruce (capt. M. Freeman), Sharpe, G. Pallister, E. Cantona, P. Ince, B. McCair, M. Hughes, R. Giggs (subs: A. Kennedy, S. Ogrizovic).

COVENTRY CITY: J. Gould; B. Borrows, P. Babb, P. Ahern, K. Sansom, J. Williams (subs: P. McDermott, L. McGrath, L. Hunt, R. Howard, M. Quinn, R. Snelcher, R. Roberts, R. Goss).

Ipswich leftback, page 19
Liverpool held, page 19

Southall backed by united crowd

EVERTON, who before yesterday shared the best disciplinary record in the Premier League with Nottingham Forest, had Neville Southall and Paul Rideout sent off as they were beaten 4-2 at Queens Park Rangers. Andy Sinton scored his first hat-trick for the winners.

Southall was dismissed after 18 minutes when Gerald Ashby, the referee, judged him guilty of denying Les Ferdinand a scoring opportunity when he handled outside the penalty area. But the ball was rolling away from Ferdinand and Dave Watson blocked his path to goal anyway.

The crowd showed their disgust at the decision by giving Southall a standing ovation as he trudged off shaking his head.

Everton had previously had only nine bookings in 21 Premier League matches, but could have had less cause for complaint when Rideout fol-

lowed Southall a minute before the break after appearing to aim a kick at Darren Peacock.

Sinton showed touches of the form that earned him an England place when he swooped to score in the 22nd, 51st and 89th minutes, but Rangers made heavy weather of capitalising on a three-goal lead against nine men.

At Ayresome Park, Osborn hammered the winner as Crystal Palace continued their revival with a sixth successive victory. Middlesbrough dominated but found Martin in tremendous form in the Palace goal before Osborn volleyed home in the 63rd minute.

A second-half strike from Hirst, giving him an international, sealed the points for Sheffield Wednesday at The Dell, giving them a 2-0 lead before Monkou pulled one back for Southampton 11 minutes from time.

Norwich rue a missed penalty

Leeds United.....0
Norwich City.....0

By IAN ROSS

ALTHOUGH Norwich will enter the new year with a three-point advantage at the head of the Premier League, the fact that they are still able to boast such a lead after accruing two points from their last four games, in which they have failed to score, speaks volumes for the shortcomings of some of those teams in pursuit.

Indeed, Norwich might have had a five-point cushion had Bowen not missed a penalty early in the game. But Leeds, the humbling and fallible defending champions, would, with some justification, been able to plead gross injustice had they tumbled to yet another defeat.

For despite the clumsiness of most of their approach play, they enjoyed the lion's share of the possession and made most

of the chances in what was a rather shabby spectacle to set before another capacity crowd. But, if nothing else, the game may well have helped to convince the Leeds players that enthusiasm, when not allied to a sense of purpose and direction, does remain a largely redundant commodity at this level.

Howard Wilkinson, the Leeds manager, had officially pronounced dead his team's chances of retaining the title after Saturday's defeat by Blackburn Rovers at Ewood Park, the seventh reverse in nine outings.

In yesterday's pre-match address to the faithful, Wilkinson, in suitably reverential tones, had expressed his disappointment at recent events while re-emphasising his faith in the abilities of those players who have been instrumental in transforming the fortunes of the Yorkshire club over the past four seasons.

However, with the halfway point in the present campaign

now past, and with relegation still a possibility, it is difficult to see how much longer the phrase, "It will eventually come right", can be bandied around Eland Road with any degree of conviction.

With 20 games remaining, time could not be said to be running out, but even so, the patience of supporters who have become accustomed to better things, is clearly beginning to wear thin.

Predictably, Mike Walker, the manager of Norwich, was largely unconcerned about the fate of his boss. "We are the best side in it so far, but I will have to wait for another two months before I can say if we have a chance to go on and win it," he said.

"At the moment, the pressure is still very much on those other teams who are expected to be up where we are, at the top."

Norwich's chance to win a fractured game of much effort but of no discernible quality

came and went in the tenth minute when the referee, Philip Don, an annoyingly over-pedantic figure, decreed Sterland's challenge on Fox to be illegal.

It was, perhaps, a somewhat harsh assessment, and many thought that justice had prevailed when Bowen's kick drifted several feet wide of Lukic's left-hand post.

Thereafter, Leeds pushed and cajoled their way to within sight of their opponents' goal before shooting from a variety of unsympathetic angles and distances.

Factually naive though the play may have been, it almost proved to be successful on several occasions, notably 14 minutes before the final whistle, when a Sterland volley missed its intended target by a matter of only a few inches.

LEEDS UNITED: J. Lukic, M. Sterland, A. Doolan, D. Goss, G. Freeman, D. Whitham (subs: J. Newton, G. Strachan, I. Vassell, C. Chapman, G. McKeever, G. Speed).

NORWICH CITY: B. Goss, I. Cuthbertson, M. Bowen, R. Newman (subs: D. Slush, J. Pickett, G. McGee, I. Crook, C. Sutton, M. Roberts, R. Fox, D. Phillips, R. Roberts, P. Don).

Yeovil warm up for Arsenal with win in local derby

By RUSSELL KEMPSON



Rutter: in charge

AMID the housing and industrial estates on the outskirts of Yeovil, a futuristic construction breaks the skyline. At first glance, it looks like a hypermarket. But this is Huish Park, home of Yeovil Town since 1990 and the venue for the most fascinating of Saturday's FA Cup third-round ties. Yeovil, of the GM Vauxhall Conference, against Arsenal, of the Premier League.

Yeovil know all about Cup fever — they hold the non-League record of 16 victories over League opposition —

and yesterday, five days before the main event queues snaked around the ground.

As eagerly as derby matches against Bath are awaited, the game was not the attraction. Vouchers for the Arsenal match were the prize. "I can't believe it. Queuing to get in to a Yeovil game," one disbelieving regular muttered before trudging off 200 yards to the end of the line.

Huish Park is not the ground of old, with its slippery, sloping pitch on which so many reputations have been ripped apart. A tidy, modern stadium, it will not

intimidate Arsenal or make their players feel claustrophobic.

"At the old place, the fans could almost touch the players," Bryan Moore, the Yeovil chairman, said. "They could almost pinch the back of a player's hands when he was taking a throw-in."

Yeovil almost folded 11 months ago and the luck of the draw will ease the financial burden. But they have been careful to avoid the outcry that accompanied Arsenal's last trip to Somerset 22 years ago, when the admission fee ballooned from six to 30 shillings. This

time, it has only doubled, to £12.

Yeovil, managed by Steve Rutter, have already coined it in since overcoming Hereford in the second round. Some 5,495 turned up to collect their vouchers against Bromsgrove and 6,488 — a record league gate for the club — attended yesterday. A full house of 8,400 will watch Arsenal.

George Graham, the Arsenal manager, would have winced at Yeovil's aggression, which showed no let-up against Bath, despite the proximity of the big day. Spencer, a predatory for-

ward, scored both goals in the 2-1 win, the second, a vicious volley, coming a minute from time.

At the back, Yeovil look calm and assured. Coles, the goalkeeper, had little chance with Bath's equaliser after Gill's shot had taken two deflections.

A happy crowd drifted off into the cold, night air, local pride satisfied and hoping the best is yet to come.

YEovil TOWNE: D. Coles, W. Doolan, J. Stronach, M. Small, P. Farris, N. Coates, P. Sanderson (subs: P. Murrell, P. Barry, J. Wilson, M. Spencer, S. Harrower).

BATH CITY: D. Murrell, D. Phillips, G. Doolan, D. Stronach, R. Coates, J. Coates, C. Banks, I. Whiston, G. Whithy, G. Smart, J. Gill, R. Roberts, P. Don.

Field day for Pipe

Martin Pipe saddled the first four home in the Coral Welsh National when Run For Free was followed home by stable companions Riverside Boy, Minnehoma and Bonanza Boy.

Pipe, who has now won four of the last five runnings of the Chesham race, went on to complete a 602-1 five-dinner at the Gwent course with Claxton Greene, Lord Relic, Side Of Hill and The Black Monk.

Pipe's bonanza, page 20

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FESTIVALS page 24

Jane Glover: resigned as artistic director of the Buxton Festival almost before she had started

ARTS

THEATRE page 25

Eileen Atkins: her performance was the year's highlight for Benedict Nightingale



DANCE: The Bolshoi aims to bring classical ballet to the masses at the Albert Hall next month. Debra Craine reports

Suite-talking on the grand scale

On its first visit to the West in 1956, the Bolshoi Ballet came to Britain and the country was agog. The tabloid newspapers were filled with minute-by-minute details of the comings and goings of the Bolshoi staff; even their dinner menus were published to satisfy the public's enormous appetite for news about Russia's greatest cultural export. The critics embraced "the very makers of ballet": Sir Anthony Eden sent a letter of gratitude to the Russian prime minister for sending "your magnificent company to London". As *The News of the World* put it, "the Bolshoi have truly conquered us".

On its last visit to Britain, in 1989, the novelty had clearly worn off. The company faced a hostile reception from some quarters. No longer a forbidden treasure, thanks to regular visits, its status vastly reduced by increasingly unflattering comparisons with ballet in the West, the Bolshoi was savaged by many of the critics. The performances were vulgar, old-fashioned, blandly indifferent, stodgy, perfunctory. The myth of the Bolshoi Ballet was exposed.

Now the Moscow company is coming back to London, but its head is far from bowed. There is nothing modest about this return visit: a five-week season offering 37 performances of 12 famous ballets to a potential total audience of 137,000 in the cavernous Albert Hall. Just one step short of Wembley Stadium, this is ballet's equivalent of the Earls Court *Tosca* or Pavarotti in the Park, a grand — and potentially lucrative — gesture to give ballet the populist push.

The £3 million season, which opens on January 9, is being presented by Derek Block, a rock promoter making his first foray into the world of classical ballet. His experience with mega-rock acts such as Elton John, Queen and the Pet Shop Boys should come in handy for the Bolshoi.

The Albert Hall is being transformed for the event: the idea is to recreate the atmosphere of the Bolshoi Theatre itself. As the proscenium arch, there will be a 70-foot-high, 125-foot-wide tableau which depicts the interior of the Moscow theatre and includes a painted backdrop showing the Tsar's box. The large apron stage will extend halfway into the arena, and the dancers will perform on the stage in front of the proscenium arch, offering an unusual dance-in-

the-round perspective to the 3,700 spectators.

The company is bringing 160 dancers; musical accompaniment will be provided by the 75-piece BBC Concert Orchestra; selected performances will even be broadcast on Radio 2 on Saturday nights. It almost sounds like the "dance event of the century" that the promoters have bombastically proclaimed.

You have to hand it to artistic director Yuri Grigorovich. Undaunted by the scepticism of British critics, he has devised a novel approach for the season: taking his cue from the principle of the musical suite, he has created choreographic suites based on the full-length works in the Bolshoi repertoire. There will be three full-

'It is not necessary that the critics like it; it is necessary that the public should like it'

length ballets on offer every night, each conveyed in less than one hour, an approach designed to give audiences the maximum number of ballets in the minimum amount of time.

It is a typically grandiose approach from the man who has ruled the Bolshoi Ballet for almost 30 years. Some of them, like Grigorovich's own *The Golden Age* and *Spartacus*, are compressions of an entire ballet; others, like *Swan Lake* and *Raymonda*, are simply a single act presented intact. In addition, there will be a weekly Saturday matinee of *Giselle*. Almost all the ballets are either choreographed by Grigorovich, or are his versions of the classics, and he is already steering himself for the critical onslaught.

"So many people want the Bolshoi to become the worst, or think it has already become so," he says. "I would like to disillusion them, and take this legend out of their minds. I would like to show that the Bolshoi Theatre is still alive and there is a nice group of talented young dancers."

"Usually we take two or three ballets from our repertoire for a season; here we have a whole view

of what the Bolshoi Theatre gives to the public. The English public will see a great variety of stars, six to eight in one night. It is not necessary that the critics should like it; it is necessary that the public should like it."

And they probably will, for the enduring magic of the Bolshoi ensures that it will continue to draw the punters, even if it disappoints the purists. Advance box office takings have already exceeded expectations, with about £2.5 million totted up in ticket sales so far — seat prices range from £15 to £65.

Spectacle will be the order of the day, and spectacle is what the Bolshoi does best. But the event itself is also a speculation: an investment in the Bolshoi's future earnings potential. Foreign impresarios have been invited to the Kensington venue to judge for themselves if the audacious experiment succeeds; if it does it is likely to be repeated elsewhere.

The Bolshoi desperately needs it to work. For not only is the company looking to restore its tarnished artistic reputation, it also needs to prove that it can support itself as a truly commercial organisation after more than a century of official patronage. The breakdown of communism in the old Soviet Union has brought hard times for the Bolshoi Theatre, as it has for the rest of the country. State subsidies no longer pay the bills and foreign currency earnings are vital if the theatre is to continue.

An annual government grant of 300 million roubles — about one million dollars — is "just a mole-cule, it should be 100 times more," says Vladimir Kokonin, director general of the Bolshoi Theatre, which supports both the ballet and the Bolshoi Opera. "Where do you see a theatre that costs only one million dollars?"

Hard currency earnings — about \$1.2 million a year — buy the musical instruments, the material dyes, the tuft fabrics and the high-tech lighting. The Bolshoi institution is kept afloat by lucrative foreign touring and by the publishing deals, the video and recording contracts, that it has struck in the West, particularly Britain.

"It was a very tough system under the Soviet government," Kokonin explains. They spent a lot of money on the Bolshoi; they helped the Bolshoi Theatre acquire its prestigious image. The positive



Doing what they do best: Bolshoi Ballet dancers Yuri Klevtsov and Inna Pashina in the Yuri Grigorovich spectacle, *Spartacus*

side was we never felt a lack of anything; the negative side, well we paid that from an artistic point of view. It cost us a lot. Now, for the first time in its history, the Bolshoi Theatre is independent of government."

The new freedom costs in artistic as well as financial terms: the loss of some of the country's top singers and dancers to the West. "Before with the tough central system the artist was like a serf; now he's a free man. And if an artist has no

contract he may do whatever he likes and they do. Artists get other offers: what are they supposed to do? The Russian star working abroad gets 100 times more than here."

Kokonin and Grigorovich are still smarting from the resignation of Irek Mukhamedov, the Bolshoi Ballet's top male star who departed in favour of Covent Garden two years ago. "Irek violated all the rules," says Kokonin. "He was supposed to go on tour with us

in the United States. All the advertising, all over the US, featured him, tickets were sold. Two weeks before we left he said he changed his mind and said he wanted to go to Covent Garden. I couldn't apply to the courts, there was no legal thing that would help me. I had no compensation, the American impresario suffered, the whole troupe suffered."

With Mukhamedov firmly ensconced at Covent Garden, Grigorovich is now relying on less

familiar names like Gediminas Taranda, Yuri Klevtsov and Nadezhda Gracheva to dazzle the Albert Hall audiences. The names may have changed, but the larger-than-life ballets remain the same. And, despite their limited range, and the sloppy technique and tawdry theatrics that occasionally mar them, the famous Bolshoi style — big, brave and brazen — still continues to feed the myth.

● The Bolshoi Ballet is at the Albert Hall (071-589 8212) from January 9

GALLERIES: Madrid is ending its year as European Capital of Culture with a flurry of fine art shows

History paintings are not always bunk

John Russell Taylor recommends a clutch of exhibitions which add extra lustre to the considerable attractions of the Spanish capital



Spanish history: Los Comerceros Padilla, Bravo y Maldonado en el patibulo, by Antonio Gisbert

All national art collections have the same problem, in the shape of pictures once expensively acquired and proudly shown but now unfashionable, ridiculed and despised. Since these are usually 19th-century academic works, they are frequently enormous and in poor condition. But now that tastes have shifted again, they can no longer be consigned to decent obscurity. What to do? A major exhibition of 19th-century History Painting in Spain, organised as part of Madrid's year as Cultural Capital of Europe, offers an impressive though no doubt expensive solution.

In the British national collection such works mostly languish in the Acton stores of the Tate Gallery. A few years ago, when the then director of the Tate was bewailing the unshowability of many earlier Chantrey Bequest pictures, I suggested he should put on a show of everything the bequest bought between, say, 1890 and 1914, and leave it up to the public to judge how to treat a painting currently worth at most £2,000 which would cost more than that to restore. He did not fancy the notion: all the public would register, he said, was that the Tate was a bad custodian of its treasures.

In France, similar pictures, once proudly exhibited at the Luxembourg, are now mostly mouldering in provincial museums. The same, until this year, in Spain, where the Prado has found this the most tactful way to hide its major embarrassments. But no more. For this show, staged in the spacious galleries of the old Museo Español de Arte Contemporáneo (now liberated by the removal of the collection to the newly completed Centro d'Arte Reina Sofia, another Cultural Year enterprise), 52 very large paintings have been dredged up, mostly from deposit in provincial museums, cleaned and restored. After the show is over, it is intended

that most of them will be retained in Madrid and kept on show, perhaps in the Buen Retiro annex of the Prado.

Naturally, once the scope and ambition of the enterprise has been saluted, the question arises — were these enormous canvases worth the time and trouble, not to mention the money? Such a panorama of 19th-century Spanish academic art has seldom, if ever, been seen in living memory, all in one place. Clearly, fluctuations of taste and fashion have a lot to do with that. It may well be that the best painting in the show is the latest of all

Barcelona 1902, by Ramon Casas, since here Casas brings many of the skills he had learnt with the Impressionists to bear on the problem of the contemporary record: the picture works more by what it does not say than by what it does, the wide open space, brutally emptied of protesters, speaking more dramatically than a multiplicity of detail could.

But nowadays we seem to be reacquiring some traditional skills in the reading of images: the picture which tells a story still has its place, as well as its historical significance. Some of these pictures

have been as famous in Spain as *And When Did You Last See Your Father?* was in England, and as influential in Spanish children's ideas of their history.

The figure of the mad queen Juana of Castile naturally attracts painters' attention, with all the potential of her insanity for melodrama and sentimental sympathy. Of its kind, Francisco Pradilla's *Doña Juana la Loca* (1877) could hardly be better done. The first *Disembarkation of Columbus in America*, by the splendidly named Diosdado Teófilo de la Puebla Tolin, is at least timely. At the very

least, this period of Spanish art turns out to be far from the wasteland it has long been assumed to be.

The show of history paintings is only one of the many put on to mark the Cultural Year. The Museo Municipal has a comprehensive show, full of unexpected delights, devoted to Madrid Pinxten, the images of the capital produced by dozens of painters, some very famous, some almost unknown, from the beginning of the 17th to the middle of the 20th century.

Outstanding among the earlier are some graceful canvases by the French émigré Houasse, rediscovered in a major show at this same museum a few years ago. The later works include expressive pieces by such as Sorolla, Vazquez Diaz, Rusiñol and, inevitably, Picasso, all reflecting in their own ways the city's idiosyncratic combination of sensuousness and austerity.

The Prado, unexpectedly, has marked the year with an impressive show devoted to the German Romantic Caspar David Friedrich. Here at least London is appreciably ahead of Madrid. There was a major show of Friedrich at the Tate in the Seventies, and a smaller but choice display recently at the National Gallery. But the Prado's generous selection of paintings and drawings is something of a revelation — some of the works are unfamiliar, having been long buried in former East German collections.

● La Pintura de Historia del Siglo XIX en España is at the Antiguo Museo Español de Arte Contemporáneo (Telephone: 5497150) and Madrid Pinxten is at the Museo Municipal (5216656). Both continue until the end of January. ● Caspar David Friedrich is at the Prado (4202834) until January 6.

Antwerp's turn, page 25

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STREET SCENE

DANCE: John Percival has a message for Covent Garden supremo Jeremy Isaacs

Less slapstick, more romance



Viviana Durante in the title role of Cinderella for the Royal Ballet

Cinderella
Covent Garden

Dear Jeremy Isaacs: Thank you for your letter to audiences published in the vasty expensive programme book for *Cinderella*. It is good to see you as general director putting a brave face on your defence of the Royal Ballet's repertoire for its range as well as its quality. And of course, compared with a company such as the Bolshoi Ballet in its present state, you are absolutely right.

What some of us wonder is whether you realise that when we say your offerings look to us both limited and conservative, that criticism is based not just on comparisons elsewhere but on a longer experience than yours of the more varied and more daring programmes that this company used to present.

However, this is the season of good will, so let us be grateful for being allowed another good ballet by Frederick Ashton hard on the heels of *The Dream*—even if there is to be nothing more all season by the first and best of the company's choreographers.

Too bad that you are stuck with David Walker's vulgar designs for *Cinderella*: at least they look as costly as they doubtless were. And it is not your fault that some of the heart has been allowed to go out of the performances: did you ever see *Cinderella* in the days when gales of laughter swept continually through the auditorium? There was actually less slapstick at that time: I do not remember Ashton.

More subtlety is needed, not more farce. For an idea of what is missing, you might watch David Bintley, the only one among six men playing the step-sisters at your three opening performances who remembers to give the role some real femininity.

Not only are there fewer laughs nowadays; there used to be a further tear or two for these characters and others. Look at your jester: Tetsuya Kumakawa and Peter Abegglen both

do some brilliant steps in this role, but it has become like those Russian Swan Lake jesters, all surface flash. Whatever happened to the mysterious sadness that used to be half-hidden beneath the bravura?

Congratulations, however, on the way the corps de ballet are dancing (do I detect the hand of Michael Somes supervising rehearsals?). And your orchestra, with Barry Wordsworth conducting, is playing much better than often used to be the case on ballet nights.

The company has some very good young men: Bruce Sansom and Stuart Cassidy are both excellent as the prince, full of spirit and romance, and Michael Nunn needs only a little more dash to equal them. But lyrical ballerinas are harder to come by, and your aspirant ballerinas have all been concentrating on other qualities, drama or zest, rather than lyricism.

Even Viviana Durante got it wrong on opening night, chopping up the long flowing phrases of *Cinderella*'s dances and making the role too brittle. So for heaven's sake hold on to your regular guest artist, Nina Ananiashvili: her crystal clear technique is joined to a wonderful musicality.

No, Ananiashvili is not "like" Margot Fonteyn, but she brings her own equivalent of the wholeness, the harmony and the radiance which Fonteyn used to have. She certainly does not neglect the character: pathos, fun and romance all shine in her dancing.

Just as with another guest star, a few years ago, Gelsey Kirkland, here is an outsider showing something of the old Royal Ballet style which our own dancers have forgotten. Let us hope we can all learn something from her.

Anyway, season's greetings to you too and a happier new ballet year for all of us.

ARTS FESTIVALS: To be successful they must either be international or genuinely local

To stay small or make it massive?

What is it about running an arts festival that seems to lead sane, public-spirited people inexorably towards rows and resignations? The latest casualty is Jane Glover, who parted company from Buxton Festival last week, just a few months after becoming artistic director.

The hope was that Glover would restore to the Derbyshire spa some of the cultural lustre that the festival's founders had briefly captured when they renovated the Frank Matcham-designed opera house in the late Seventies and filled it with rare operatic gems. Indeed, Glover is known to have produced an ambitious long-term plan. On the strength of this, presumably, a £195,000 grant from the Foundation for Sport and the Arts has been awarded to Buxton.

Whether the Buxton committee will now proceed with this plan, given how terminal has been the disagreement with Glover, must be in doubt. What now happens to the money? Who takes charge of the 1993 festival? Will it be worth a candle? There are many questions; no ready answers.

But the Buxton bust-up is by no means unique. Britain has more festivals than any other country, and more festival disputes. In the last two years trouble has flared at Bath (an unpleasant campaign of "elites" taunts in the local press); in Malvern (a row over whether the regional arts board reneged on a "promise" to provide extra funds for commissions); and in Chichester (director Michael Rudman left after disagreeing with his board about the choice of plays).

The Almeida Festival of Contempo-

rary Music — an annual miracle of adventure in Islington — simply folded when the persuasive Pierre Audi left; apparently nobody else could conjure up such a feast with such scanty funds. Other festivals, too, have risen, briefly glimmered and then sunk without trace — too dependent on charismatic individuals who have gone on to other things and insufficiently rooted in real local needs and aspirations. As for that six-months wonder, the European Arts Festival, which is just about to depart this life unloved and unlamented, its director John Drummond complains that the press have not paid it sufficient attention. But can he be surprised at the degree of scepticism towards something so obviously created on a politician's whim?

Meanwhile at Edinburgh, the biggest festival of them all, a long history of director-baiting. Peter Diamond was attacked for being too highbrow and internationalist, the hapless Drummond for being too music oriented, and Frank Dunlop for being too theatre-based and populist. Perhaps it

is a measure of how far Edinburgh has slipped down the international league that much more attention was focused last summer on how Salzburg's new festival boss, Gerard Mortier, would reform his festival than on how Edinburgh's new director, Brian Macfarlane, would face the more daunting challenge of reinventing Edinburgh.

And reinvention is surely the right word, not just for Edinburgh but for the whole British concept of the arts festival. You must remember the history. Many of the most famous festivals were founded soon after 1945, when notions of "rebuilding communities" were all mixed up with the fledgling Arts Council's ideal of bringing culture to the people.

That was fine, for a while. But "community pride" in the old, pre-war sense was never recaptured. And as for bringing culture to the people, well, there turned out to be less urgency once it was realised that cars, television and records could bring the people to culture much more easily. Nowadays, to make any impact on its home town

is enormous, like Edinburgh, or the location has to be tiny, like Snape.

Having lost their original sense of purpose, it is not surprising that festivals have turned into battlegrounds for clashing vested interests. Local councillors may see political mileage in backing a festival to demonstrate their "enlightened" concern for local culture, or in opposing it to emphasise their macho credentials for protecting the public's money. Ambitious artistic directors may unscrupulously devise programmes more with an eye to winning glowing reports from London-based critics than to satisfying real local appetites.

Some performers, too, regard a summer round of festivals simply as a way of being paid 12 times over for preparing the same programme. Far from celebrating local resourcefulness and variety, festivals become carbon-copies in such circumstances. As for local businessmen, the value of their sponsorship is too often countered by a tendency for them to impose artistic preferences, especially when a large donation buys them a voice on the festival committee.

None of this, I am sure, is remotely relevant to Buxton. Doubtless somebody there will pull the 1993 festival together. After all, Britain currently has an excellent batch of arts administrators, adept at making improbable ends meet. But if a town has no raging thirst for culture, what is the point of having a festival? We have become experts at answering the question "how?"; it is time we asked the more basic question "why?"



Jane Glover: she left Buxton before she had really begun

LONDON

ALCANTARA Handel's opera is given a new production by the American director Stephen Wadsworth. Yvonne Kenny sings the title role; Ann Murray, Kathleen Kuhlmann, Anthony Rolle Johnson, Justin Howard and Stafford Dean complete an impressive cast. John Fisher, who as music director transformed the fortunes of *Verdi's La Forza*, is making his Covent Garden debut in the part. Royal Opera House, Covent Garden, WC2 01 200 1665/1911. Tonight, 7pm.

THE KING'S COMPACT Robert King directs a programme on the theme of 'A German Christmas', featuring music by Bach, Telemann and Beethoven. Wigmore Hall, Wigmore Street, W1 071-435 2141. Tonight, 7.30pm.

BILLY BRAGG The Bard of Barking returns to the Barbican with the Red Stars for three gigs culminating in what should be the pick of the New Year's eve bash. Barbican, Silk Street, EC2 071-435 8811. Tonight, 7.30pm.

GEORGE MELLY The singer, author and authority on modern art appears with John Chilton's *Footprints*. Barbican, Silk Street, EC2 071-435 8811. Tonight, 7.30pm.

ALADDIN Enjoyable pantomime with strong characters and top-tapping songs. Palace of Varieties, Coventry Street, W1 071-435 9887. Tues-Sat, 7.30pm, mat, 2.15pm and 7.15pm.

MEASURES Southend's sharp and successful musical explores the impulse that drives us to hope for an American President. Deodar, 100 Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm (closed New Year's day).

BARING Enjoyable Christmas treat, with Paul Nicholas leading the high wire. Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm (closed New Year's day).

BILLY LIAR The Waterhouse/Hall success of 1980 exposed as unbalanced and pretty chuckles. National Theatre (Cottesloe), South Bank, SE1 071-325 2222. Today, 2.30pm and 7.30pm, 14pm.

CAROUSEL Joanne Riding and Michael Hayden star in a triumphant revival of the Rodgers & Hammerstein landmark musical. National Theatre (Cottesloe), South Bank, SE1 071-325 2222. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE COMEDY OF ERRORS Ian Judge's sublimely funny production, with award-winning Desmond Beall playing both parts. Barbican, Silk Street, EC2 071-435 8811. Today-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE GIFT OF THE GOSSAMER Peter Shaffer's latest: bloodthirsty revenge versus forgiveness on a modern Greek island. Deep issues, by the way, though just Donch is powerful. The P. Barbican Centre, Silk Street, EC2 071-435 8811. Today, 7.15pm, 10pm.

GRACE Anna Massey and James Lounsbury in a riotously acid but superficial play about television. Barbican, Silk Street, EC2 071-435 8811. Today-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

HAY FEVER Very funny performance in Coventry's smallest theatre. Albany, St Martin's Lane, WC2 071-867 1115. Mon-Sat, 8pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE BODYGUARD (15). Kevin Costner as the bodyguard who falls for his shadowy client (Kiefer Sutherland). Jumbie cinema, 100 Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE LAST OF THE MOHICANS (15). Romance and adventure in the American colonies with Daniel Day-Lewis. Shadow version of the classic, now, director Michael Mann. MGM Pathway, 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

COOL WORLD (12). Fantastic, suffocatingly mixed media exercise from animation's wild man Ralph Bakshi. With Gwyneth Paltrow, Brad Pitt. MGM Pathway, 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

HOME ALONE 2: LOST IN NEW YORK (12). More of the same with little child and a hard new streak of terrorism. With Macaulay Culkin, Joe Pesci, Daniel Stern, Robert Downey Jr. MGM Pathway, 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

OF MICE AND MEN (PG). Stentorian classic Depression tale of friendship and innocence. John Malkovich as the slow-witted Lennie; director Gary Sinise as his protector. Simple, sturdy and moving. The P. Barbican Centre, Silk Street, EC2 071-435 8811. Today, 7.15pm, 10pm.

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REGIONAL

GLASGOW Nicholas McGegan conducts a vocal cast in *Verdi's La Forza*, which uses an English translation by Jeremy Sams. Martin Duncan, the director. Theatre Royal, Hope Street, 041-332 9000. Tonight, 7.15pm.

EDINBURGH This exhibition, *Edo*, shows the gallery's own collection of a series of masterpieces by the Edo school, including works made in Rome by such masters as Broughton, Schiavone, Poussin and others, as well as local such as Raphael and Fransco. Scots Ransay, Wemyss, David Roberts and Alexander Runciman also stand out. National Gallery of Scotland, The Mound, Edinburgh 031-555 8921. Mon-Sat, 10am-6pm, Sun, 11am-6pm, until Jan 31 (closed New Year's day, Jan 2 and 4).

BRISTOL Helen Boardman plays beautiful, tragic Lady Isabella Vane, whose performance in *East Lynne* has made her a household name. Birmingham Rep. Theatre, Cornhill Square 021-236 4455. Mon-Sat, 7.45pm, mat, 2.15pm.

RECOMMENDED *Measures*, 100 Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

RADIO TIMES Tony Stacey in a fun trip down memory lane, set in wartime Broadcasting House, bursting with brightly Noel Gay numbers. Queen's, Shaftesbury Avenue, W1 071-494 6040. Mon-Fri, 7.30pm, Sat, 8pm, mat, 2.30pm, Sun, 4.30pm.

THREE BIRDS ALIGHTING ON A FIELD Harriet Walter perfects again in revival of this subtle, comic story of the nation play, set in a world of shifting values and plummeting respect. Royal Court, Sloane Square, SW1 071-730 1749. Mon-Sat, 8pm, mat, 2.15pm, Sun, 3pm, 10pm.

TRAVELS WITH MY AUNT Simon Cadell, John Wells, Richard King, Christopher Goss play all set parts in *Edo*, a series of masterpieces by the Edo school, including works made in Rome by such masters as Broughton, Schiavone, Poussin and others, as well as local such as Raphael and Fransco. Scots Ransay, Wemyss, David Roberts and Alexander Runciman also stand out. National Gallery of Scotland, The Mound, Edinburgh 031-555 8921. Mon-Sat, 10am-6pm, Sun, 11am-6pm, until Jan 31 (closed New Year's day, Jan 2 and 4).

LONG RUNNERS Blood Brothers. Phoenix 071-857 1044. *Measures*, 100 Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE COMEDY OF ERRORS Ian Judge's sublimely funny production, with award-winning Desmond Beall playing both parts. Barbican, Silk Street, EC2 071-435 8811. Today-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE GIFT OF THE GOSSAMER Peter Shaffer's latest: bloodthirsty revenge versus forgiveness on a modern Greek island. Deep issues, by the way, though just Donch is powerful. The P. Barbican Centre, Silk Street, EC2 071-435 8811. Today, 7.15pm, 10pm.

GRACE Anna Massey and James Lounsbury in a riotously acid but superficial play about television. Barbican, Silk Street, EC2 071-435 8811. Today-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

HAY FEVER Very funny performance in Coventry's smallest theatre. Albany, St Martin's Lane, WC2 071-867 1115. Mon-Sat, 8pm, mat, 2.15pm, Sun, 3pm, 10pm.

THE BODYGUARD (15). Kevin Costner as the bodyguard who falls for his shadowy client (Kiefer Sutherland). Jumbie cinema, 100 Tottenham Court Road, W1 071-435 1150. Mon-Sat, 7.30pm, mat, 2.15pm, Sun, 3pm, 10pm.

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rary Music — an annual miracle of adventure in Islington — simply folded when the persuasive Pierre Audi left; apparently nobody else could conjure up such a feast with such scanty funds. Other festivals, too, have risen, briefly glimmered and then sunk without trace — too dependent on charismatic individuals who have gone on to other things and insufficiently rooted in real local needs and aspirations. As for that six-months wonder, the European Arts Festival, which is just about to depart this life unloved and unlamented, its director John Drummond complains that the press have not paid it sufficient attention. But can he be surprised at the degree of scepticism towards something so obviously created on a politician's whim?

The hope was that Glover would restore to the Derbyshire spa some of the cultural lustre that the festival's founders had briefly captured when they renovated the Frank Matcham-designed opera house in the late Seventies and filled it with rare operatic gems. Indeed, Glover is known to have produced an ambitious long-term plan. On the strength of this, presumably, a £195,000 grant from the Foundation for Sport and the Arts has been awarded to Buxton.

Whether the Buxton committee will now proceed with this plan, given how terminal has been the disagreement with Glover, must be in doubt. What now happens to the money? Who takes charge of the 1993 festival? Will it be worth a candle? There are many questions; no ready answers.

But the Buxton bust-up is by no means unique. Britain has more festivals than any other country, and more festival disputes. In the last two years trouble has flared at Bath (an unpleasant campaign of "elites" taunts in the local press); in Malvern (a row over whether the regional arts board reneged on a "promise" to provide extra funds for commissions); and in Chichester (director Michael Rudman left after disagreeing with his board about the choice of plays).

The Almeida Festival of Contempo-

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Meanwhile at Edinburgh, the biggest festival of them all, a long history of director-baiting. Peter Diamond was attacked for being too highbrow and internationalist, the hapless Drummond for being too music oriented, and Frank Dunlop for being too theatre-based and populist. Perhaps it

is a measure of how far Edinburgh has slipped down the international league that much more attention was focused last summer on how Salzburg's new festival boss, Gerard Mortier, would reform his festival than on how Edinburgh's new director, Brian Macfarlane, would face the more daunting challenge of reinventing Edinburgh.

And reinvention is surely the right word, not just for Edinburgh but for the whole British concept of the arts festival. You must remember the history. Many of the most famous festivals were founded soon after 1945, when notions of "rebuilding communities" were all mixed up with the fledgling Arts Council's ideal of bringing culture to the people.

That was fine, for a while. But "community pride" in the old, pre-war sense was never recaptured. And as for bringing culture to the people, well, there turned out to be less urgency once it was realised that cars, television and records could bring the people to culture much more easily. Nowadays, to make any impact on its home town

is enormous, like Edinburgh, or the location has to be tiny, like Snape.

Having lost their original sense of purpose, it is not surprising that festivals have turned into battlegrounds for clashing vested interests. Local councillors may see political mileage in backing a festival to demonstrate their "enlightened" concern for local culture, or in opposing it to emphasise their macho credentials for protecting the public's money. Ambitious artistic directors may unscrupulously devise programmes more with an eye to winning glowing reports from London-based critics than to satisfying real local appetites.

Some performers, too, regard a summer round of festivals simply as a way of being paid 12 times over for preparing the same programme. Far from celebrating local resourcefulness and variety, festivals become carbon-copies in such circumstances. As for local businessmen, the value of their sponsorship is too often countered by a tendency for them to impose artistic preferences, especially when a large donation buys them a voice on the festival committee.

None of this, I am sure, is remotely relevant to Buxton. Doubtless somebody there will pull the 1993 festival together. After all, Britain currently has an excellent batch of arts administrators, adept at making improbable ends meet. But if a town has no raging thirst for culture, what is the point of having a festival? We have become experts at answering the question "how?"; it is time we asked the more basic question "why?"

THEATRE: Benedict Nightingale recalls his highlight of 1992. Jeremy Kingston looks in vain for seasonal cheer

Ambushed by a moment of magic

When people talk of "the magic of the theatre", I tend to reach for my garlic. Anything to defend myself against the glossy witchcraft, the fake enchantment implied by the phrase. "Theatrical magic" means goody reworkings of the Cinderella story, bland revivals of Gilbert and Sullivan, and the kind of bright, winsome production of *A Midsummer Night's Dream* that makes some of us want not merely to see Robert Lepage's mudbath version of the play but to jump onstage and cake ourselves in the decor. Or does it, must it? Could there be a less sentimental definition of the cliché?

Yes, I think there could. I myself experience what I call theatrical magic pretty seldom, on average once every three or four years; and I did so again in 1992. It was not at Lepage's *Dream*, though the production proved to be as imaginative as it was insubstantial. Nor was it at Stephen Daldry's revival of Priestley's *An Inspector Calls*, or at Terry Hands's version of *Tamara's Story*, or even during the opening love scene in *Carousal*, all of which I saw and much admired this year. No, it was at Richard Eyre's somewhat uneven restaging of one of Tennessee Williams's middling-to-lesser plays, *The Night of the Iguana*.

There is a point late in the piece when one of the subsidiary characters, a New England spinster, talks to a defrocked priest about her experience of love. This turns out primarily to consist of a lonely encounter with a dowdy businessman in a boat off Singapore: he fondled her underwear while she looked the other way. Could anything be sadder, penitential or more sordid? But as Eileen Atkins told Alfred Molina the tale in her still, grave way, she might have been incanting a spell across the footlights. On that first night critics, cognoscenti and assorted other cynics sat entranced by her offbeat magic, mesmerised by something that struck me for one as unaccountably profound.

The symptoms we felt that night are hard to describe, but unmistakable. For me, they consisted of a prickling at the back of the neck and a sense of being lifted out of myself. I had something of the same experience when Gielgud's Prospero renounced his powers, when Scodell's Vanya contemplated the barren years ahead, when Ralph Richardson's John Gabriel Borkman spoke of his love for the Norwegian forest in that spectral voice of his, and, in a New York *Death of a Salesman*, when Dustin Hoffman's Willy Loman cradled John Malkovich's Biff Loman, on his face the kind of disbelieving tenderness you sometimes see in fathers when they pick up their newborn children for the first time.

As it happened, those were all



Sharing a spellbinding revelation: Alfred Molina listens as Eileen Atkins recalls her experience of love, in Richard Eyre's production of *The Night of the Iguana*

major productions, major events; but the same strange magic can occur at lesser ones. It was there when Barbara Jefford played Phèdre in a half-dereclic theatre in Salford 25 years ago; and it did not matter that her desolate cries were punctuated by a urinal that kept noisily flushing every two or three minutes. It was certainly there when Anthony Hopkins appeared in Schnitzler's *Lonesome Road* in 1985, a performance unjustly overshadowed by the newspaper magnate he played the same year in Hare and Breton's high-profile *Private*.

Hopkins was one of Schnitzler's archetypal roles, a man who 20 years before had made a woman pregnant on the eve of her marriage to someone else and was belatedly discovering paternal feelings in himself. He stood there facing the audience, something surely not just glycine running down his cheeks, a look on his face it still defies my poor imagination to describe. It was as if he was

peering into his own coffin, exhuming his own corpse, trying to resuscitate his own decomposing heart and, of course, failing quite to do so.

Perhaps that suggests what these events have in common. They tend not to be ones of all-electric passion: Olivier's Othello wailing in agony, or his Shylock wailing from the wings after his exit from the Doge's courtroom. They do not even seem to be the traditionally wrenching ones: Hornet's Lear tugging in with Cordelia dead in his arms. They take aim at something beyond the spine, the tear-ducts, or even the heart. They leave us the impression we have been looking into somebody's very soul.

It would be nice to believe that is how the ancient Athenians felt when Aeschylus's Prometheus explained why he had presented mankind with the gift of fire, or Sophocles's Oedipus was assumed into heaven as Colonus. The link

between theatre and religion was still alive then. Mysteries were being publicly celebrated. Dionysus's priests were doubtless in the front row looking pious and important. Yet who knows? Amateurish actors, an uncomfortably crowded hillside, swarms of midges and no flyspray to combat them: somehow I suspect a modern secular theatre is more likely to promote Grecian ecstasy.

And that sort of ecstasy is only to be found in the live theatre. Some of the best performances I saw in 1992 were on television, culminating in Alec Guinness's Heinrich Mann in Christopher Hampton's *Tales from Hollywood*. I shan't easily forget the look on his face when his drunken wife yet again disgraced herself in public or, towards the play's end, he drove her in her death-throes to one unearthing hospital after another. Yet, though much can be electronically conveyed these days, not serious magic. A spooky contact between actor and audience—sometimes includ-

ing words but always beyond them—is of the very essence. What I felt about Eileen Atkins's Hannah I felt alone. Though their reviews indicated otherwise, there may have been one or two of my fellow critics who were thinking about their suppers while she was talking of her oddball love, yet the communal feel was unmistakable. It was as if we were being collectively transported into some fourth dimension.

But if the live theatre makes such moments possible, it also explains why they are elusive. I felt that magic when I saw *Les Misérables*, as did those around me, some of whose faces suggested they were watching the arrival of the spaceship in *Close Encounters*. But it had become a more ordinary excitement when I saw the show with another Valjean reaching into himself to forgive another Javert. There may even have been evenings when Atkins, because she or the audience or both were in a down mood, failed to produce her creative sorcery. Conversely, I have

it on good authority that there were times in 1992 when Robert Stephens's sad, self-doubting Falstaff achieved a lift-off he did not quite manage on opening night. After all, every performance is different, and first ones are seldom the best.

Perhaps this evanescent something can only be described metaphorically. If so, a good analogy is to be found in Brian Friel's *Faith Healer*, which was actually revived at the Royal Court early in 1992. The shaman of the title tours the country, rarely accomplishing much, let alone the "ecstasy, the consummation" he craves. And then one rainy night in an obscure Welsh village ten people are healed: "there was no shouting or cheering or dancing with joy. Hardly a word was spoken. It was like not only had he taken away whatever was wrong with them, he had given them some great content in themselves as well." As Friel clearly knows, and wants us to know, theatrical magic is like that too.

Pity the poor old princess

Sleeping Beauty
Drill Hall,
London WC1

AFTER the delirious charms of last year's all-woman *Peter Pan*, the same production team reconstructs the tale of the princess who took 40,000 winks, and I am sorry to say that a real old hash the team has made of it. Story, set, several performances and even the acoustics go wrong; wit and jokes are only sporadic, and *double entendres* (I mean, this is adult pantomime) hardly feature.

The only significant event in the heroine's life, before hitting the pillow for 100 years, is that she wanders away from her 21st birthday party and gets a prick. Not much of a schoolboy (or schoolgirl) mind is required to grasp the verbal potential of that, but writers Bryony Lavery (last year's myopic Tinker Bell) and Nona Sheppard, who also directs, waste the opportunity. Su Elliott's Bad Fairy, the best thing in the show, seemed about to rise to the occasion when she began telling the audience what to expect if we crossed her off our invitation lists. But the obvious pay-off never arrived.

Swelling the ranks of the good godmothers with characters from other fairytales is a promising idea. Beauty takes time off from her Beast. Gretel leaves Hansel chewing his way through load-bearing joists of gingerbread, but their personalities as fashion-freak and food-buff prove unrewarding. Tricia Kelly's auntish principal godmother might have made something good of the role had she been given decent, or even indecent, lines.

Elliott looks suitably malevolent, in a dress tricked out with black feathers and a fancy little 1940s fur cap, widow's-peaking over her forehead. Her dinky face and two front teeth give her the appearance of a Cilla Black gone to the devil. She arches her back and claws at the air but her battles with Kelly need far more magic trickery.

Of course there are amusing moments now and then, such as the fresh words to a well-known tune sung by Sunetta Rathore's Princess after her brush with the spinning wheel: "I feel drowsy, oh so drowsy, it's lousy how drowsy I feel." But the final hymn to ecology and a happy future is yawningly insipid. Gretel trills, "No one shall of hunger die," which is not awful in a way suited to pantomime, where awful can be great, but, since intended to bear a message awful, period.

JEREMY KINGSTON

TELEVISION REVIEW: a blast from the past, mingled with the scent of suntan oil



The way we were daring: bathers on a Coney Island beach when topless applied only to sports cars

Life's a beach

Considering that, nowadays, even a sado-masochistic orgy involving the use of equipment usually only seen in torture chambers (or on the sets of avant-garde operas) passes for run-of-the-mill entertainment, it seems remarkable that *The New York Times* felt sufficiently shocked by the goings-on at Brooklyn's Coney Island amusement empire early this century to dub it "Sodom-by-the-Sea".

Watching the archive stills and newsreel footage stylishly woven into last night's documentary *Coney Island* (Channel 4), New York's famous playground looked like a gentle reminder of a more innocent age, when people got kicks from Ferris wheels rather than free-basing. Maxine Gorky, not writing in *The New York Times*, called it "fabulous beyond conceiving, ineffably beautiful."

Of course there were pre-political correctness horrors, such as "Midget City", home to 500

dwarves, and the public electrocution of Topsy, one of Coney Island's performing elephants. Topsy had to be put down anyway, so why not make a show of it? The idea of electrocuting the six-ton beast was dreamt up after the city authorities had refused to allow the far more spectacular prospect of hanging it.

But there were also rides and amusements that popped the eyes of New York's huddled masses, who were still poor enough and unworried enough to gawp when they saw the thousands of lightbulbs that illuminated Coney Island's towers, visible for miles out to sea. By the end of the 19th century there were more than three million New Yorkers, half of them living in packed-like-sardines slums. On a warm summer Sunday, you could find a quarter of a million of them at the electric Eden

of Coney Island, which provided not only an escape from a hard life but also a taste of the technologies and possibilities of a new age.

By 1905 Coney Island was world famous, although its attractions seem enviably modest: wooden rollercoasters, beaches on which bathers swam fully clothed, staged fire disasters, Boer War battles reenacted by 600 veterans from Johannesburg, a mock Venice complete with doge's palace and gondola-filled canals, a Swiss Alpine train ride up a mountainside blasted with chilled air, and a marvellously preposterous steepleschase ride in which mechanical horses carried saddled customers along a half-mile railway race track. Coney Island is even said to have given birth to the hot dog.

Perhaps it was the springing of pickpockets, prize fighters and

prostitutes which such places attract that led *The New York Times* to see in Coney Island "scenes that shock and disgust". Few others minded. Except maybe Topsy.

For decades, Coney Island was a summer safety valve, offering New Yorkers an escape and a chance to see the wonders of a world that was still a long way from the days when technologically-jaded westerners would begin keeping a television in every room, and own at least one computer that could communicate with NASA.

But by the late 1940s, there was less need for this miniature World Fair of new gadgets and impossibly tall towers. So Coney Island withered, but it had done a sizzling job of playing midwife to the larger, richer, modern world. Now it's not just a spit of land at the foot of Brooklyn that *The New York Times* found shocking, but the whole of New York.

JOE JOSEPH

All eyes on Antwerp, back on top again

Ever since the plan was inaugurated with Athens in 1985, a string of cities from across the European Community has played symbolic host to the arts each year. But unlike the internationalism of Glasgow in 1990, or Madrid in 1992, Antwerp is concentrating on its own heritage and future as the 1993 Cultural Capital of Europe. The planners intend that 1993 will have a lasting impact which will help shape the Belgian artistic climate well into the 21st century.

As might be expected from the home of Rubens, Antwerp will stage several major art exhibitions. The most significant is the show, at the Royal Museum of Fine Arts, marking the 400th anniversary of the birth of Antwerp painter Jacob Jordaens.

Antwerp, with its proud history as a port and trade centre, will be the 1993 Cultural Capital of Europe, writes Allen Robertson

theme of "The Questioner": there will be visits by the Frankfurt Ballet and Trisha Brown Dance Company from America. The city of diamonds will play host to a large British contingent: the Philharmonia, conducted by Pierre Boulez, the City of Birmingham Symphony Orchestra under Simon Rattle, and Roger Norrington with the Chamber Orchestra of Europe.

The elegant Bourla, the city's intimate 800-seat Theatre Royal, is being restored to mark the occasion. Built in 1827, it had to be closed down due to safety hazards in 1980. Now it is being given an extensive facelift. Hundreds of craftsmen, using traditional techniques, are taking it back to its original splendour. They are clearing more than a century's worth of grime off the ceiling frescoes, adding

bits of gold leaf to the ornate proscenium arch and replacing pieces of wood into the intricate marquetry floors. Highlights of the Bourla's 1993 schedule include several world premieres.

It may surprise some, but Antwerp has played host to three world's fairs—in 1885, 1894 and again in 1930. When the city built what became the first skyscraper in Europe, Antwerp may not be top of the tourist list, but it was once second only to Paris in size and importance.

Today it is still a major port, with an energetic barge-docking back centuries to the time when it was a major European crossroads. In recognition of this there will be a tall ships regatta in August. Still with the maritime theme, one of the city's leading architects, Bob van Reeth, has converted a 77-

foot barge into a theatre that has been dubbed the Ark. Moored in the Scheldt River, it will also function as a floating home over the summer months for 15 youth companies from around the world, notably from former Belgian colonies, but also from St Petersburg, Prague, Istanbul and North America.

There will be music festivals from the city's major immigrant communities: Moroccan, Hebrew, Turkish, Spanish and Indian. There will also be plenty of jazz and pop, plus more than 100 concerts, that will range from Monteverdi to Stravinsky, in churches and theatres.

One of the themes of 1993 is Antwerp as an "open city". Much of the old city is now restricted to pedestrians and this will give an added zest to all of the music and street theatre that is planned. There will also be an open-air museum where a dozen international artists will create site-specific sculpture.

Antwerp 93 officially opens on March 26

Can art save the world?

Antwerpen 93 Cultural capital of Europe

As is, as was: posters for 1993, when Antwerp becomes Cultural Capital of Europe (left), and the 1894 world's fair

ANTWERPENER WELTAUSSTELLUNG 1894

MAI-NOVEMBER

Antwerpen 93 Cultural capital of Europe

LAW

Two lawyers play fortune-teller for the profession in 1993 and can see, through the clouds in the crystal ball, some peculiar events

Don't worry, it gets worse

● **January:** Devon and Cornwall solicitors announce they are pulling out permanently from legal aid work in protest against fixed fees. A Treasury spokesman urges other solicitors to follow suit.

● **February:** The debate over wigs continues: a report commissioned by radical barristers suggests that in very hot weather judges in the divisional court may remove their wigs. One senior judge condemns this as "the most pernicious suggestion ever made and a direct attack upon liberty, democracy and the entire legal system". Other judges use stronger language.

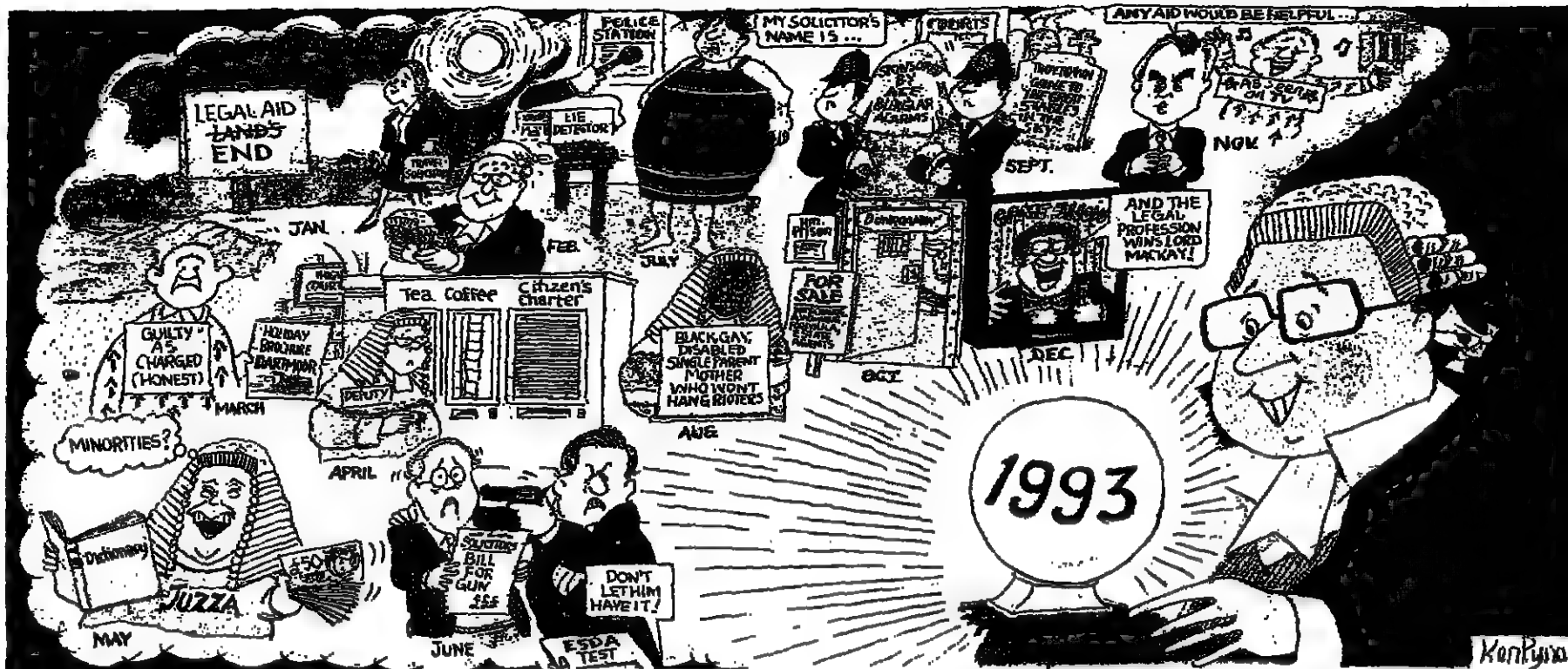
● **March:** The home secretary orders an enquiry after press disclosures that 99 per cent of defendants have been rightly convicted of the crimes they committed. The Lord Chancellor proposes a 0.0002 per cent rise in legal aid rates.

● **April:** The Lord Chancellor is summoned to Downing Street to explain to the prime minister the lack of progress with the citizen's charter for the courts. The Lord Chancellor explains that agreement has been reached over the requirement that there be a drinks vending machine in every tier 1 crown court save for those courts where it is deemed to be inappropriate. The cabinet secretary advises the prime minister that by legal standards this is indeed a radical and far reaching proposal.

● **May:** The government is embarrassed by the leak that the Top People's Pay Review Body, acting on legal advice, is having to recommend that judges be given pay rises of 256 per cent to put them in the same position as those in comparable occupations. An enquiry is set up into the leak of its list of comparable occupations to the press. The list shows that the Lord Chief Justice's pay is to be linked to that of Paul Gascoigne. The Law Society is concerned to find the comparable job for a solicitor is a Mexican fruit picker.

● **June:** Devon and Cornwall solicitors threaten to take hostages and even to shoot them. The government says it will never give in to threats. The Law Society arranges a crisis conference on legal aid funding, to be held in Rio de Janeiro.

● **July:** Defaulting solicitors cause such inroads into the Solicitors



Compensation Fund that the Law Society is forced to give emergency advice to clients: "Under no circumstances should you let a solicitor have any of your money." The payments department of the Legal Aid Board confirms that this has always been their policy.

The Abbey National takes the initiative in the war against mortgage fraud and assumes the power to arrest solicitors and detain them without trial. The police ask the government for similar powers.

● **August:** Stung by criticism that judges are selected from an unrepresentative clique, the Lord Chancellor announces categories of applicants who will get special treatment: women with children, ethnic minorities, the disabled and gays. After representations by the Law Society, solicitors are added.

● **September:** It proves impossible for the Serious Fraud Office to arrest anyone without the press first

being tipped off. Advertisers start taking space on the walls of prominent fraudsters' houses. The attorney-general canvasses opinion as to whether arrests can be commercially sponsored.

● **October:** The prison privatisation programme carries on and the government announces plans to sell off prison cells. Discounts are to be offered to prisoners with lengthy sentences. Ford Open Prison is offered for sale and attracts immense interest from merchant banks for use as a staff training centre. The prison warden which is believed to have cured Ernest Saunders from his illness is bought and sold for its miraculous healing qualities.

● **November:** Solicitors change their tack over legal aid and campaign for it to be administered by the Treasury. New "Lamont criteria" replace the old eligibility criteria. Under their proposals

people will be eligible for legal aid on incomes up to £63,000.

● **December:** The commercial court again threatens to grind to a halt through lack of judges. The Lord Chancellor proposes a "demand-led consumerist solution". The producers of *Gladiators* will be put in charge of the court, which will be televised as *Trial by Ordeal*. Judges will be replaced by an electronic scoreboard as lawyers and litigants compete in a series of games. A studio audience will judge "Guess Who's Lying" while barristers stand on platforms and prod each other with giant briefs stuffed with money. There will even be a game for barristers' clerks — "Late Return" — where clerks compete to see who can be the latest to return a brief. Traditionalists withdraw objections once the Lord Chancellor makes it clear that everyone will wear wigs.

PATRICK STEVENS

Bureau places a restriction on the solicitor's practising certificate. Nothing is said about his work as a travel agent.

● **April:** The Court of Appeal hears 16 appeals from decisions by deputy High Court judges — now sitting on all High Court cases because of the shortage of full-time judges — and upholds all decisions.

● **May:** No progress has been made on the appointment of the minorities, women and solicitors to the bench. "I am not sure that statistics are meaningful. It is not that individuals do not have ability," the Lord Chancellor says. "It is they do not have the opportunity."

Sixteen decisions by High Court judges on the same points as those in April are overturned by the Court of Appeal. "Deputies do it quicker, better, and the right way," says a spokesperson launching the slogan for the new Deputy High Court Judges' Association.

June: The Royal Commission's report recommends the use of lie detectors, citing one defendant: "I was going to ask for one." Tests showed that the second sheet, which added, "but please God the old boy won't let me have it," had been inserted by the police officer.

● **July:** Legal Aid rates are pegged at 1972 levels. Use of the lie detector is clarified: it is for the police, not the defendant. Police cells are cleared of prisoners on July 31. The second time in a decade.

● **August:** Prisoners re-admitted to police cells on August 1. "It is only a temporary measure caused by rioting/industrial action by wardens/renovation/over-sentencing," the Home Office says.

● **September:** Under mounting pressure to peg legal aid rates at 1979 rates, the Lord Chancellor resigns, to glowing tributes. "We shall not see his like again," a Law Society spokesperson says. This eulogy, it is found, appeared on the grave of the Grand National winner, Troytown, killed in a drag race at Auteuil.

● **October:** The number of paying delegates does not top the hoped-for 100 mark at the Law Society's conference, which next year will be held in London, possibly with the Bar. There are objections. "Why change a winning formula?" asks a spokesperson. The reporter cannot recall from which side of the professional fence the remark came.

● **November:** Field trials undertaken in cases where the defendant appears not in court but on closed circuit television from prison are enormously successful. "I find if he is obstructive or argumentative, I jangle the coils in my pocket. This causes interference with the reception and it cuts him off in his prime," says a member of the Crown Prosecution Service. "It also saves him adding perjury to his other crimes."

● **December:** Legal aid fees are pegged at 1967 levels. The president of the Law Society and the chairman of the Bar Council in a rare joint statement predict that the profession will be worse off in 1994 than in the present year but not as badly off as in 1995. Lord Mackay returns as Lord Chancellor.

JAMES MORTON

LEGAL APPOINTMENTS

UK/INTERNATIONAL

SENIOR CONSTRUCTION
To £ Partnership
Midlands
Well-known Midlands firm with offices throughout the country seeks good construction lawyer with around 10 years' exp and solid construction experience. Strong personality and ability to handle top quality work. Excellent salary and benefits package. Immediate start. Ref: T1677

COMMERCIAL LITIGATORS
To £44,000
London
Top 10 City practice, constantly advising businesses and individuals world-wide on a diverse range of legal issues seeks 1-3 year qualified EC lawyer with both good technical experience (in areas ranging from competition law to restrictive trade practices) and strong commercial personality. Competitive salary package and excellent career development opportunities. Ref: T11254

PENSIONS
£ Top City
London
Big name City firm with blue-chip client base requires a further pensions lawyer with 2-3 years' exp of solid pensions experience from recognised pensions practice. Work of highest calibre demands excellent technical skills and strong commercial personality. Excellent salary and benefits package offered. Ref: T11248

For further information, in complete confidence, please contact Dominique Peggles or Stephen Rodney (both qualified lawyers) on 071-485 8063 (081-960 6144 evenings/weekends) or write to them at Quarry Douglas Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential Ref: 071-831 6394.

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LONDON & HONG KONG

PROJECT FINANCE
To £100,000
Medium-sized City firm with international offices seeks senior project finance specialist to strengthen existing team currently tendering for work in Europe, Asia and South America. Private practice or industry experience considered. Excellent package and potentially an immediate partnership.

HONG KONG
To £36,000
Hong Kong
Top ten City firm with busy, long established Hong Kong office requires Cantonese speaking lawyer for high quality litigation. Ideally 1-3 years qualified. Separate requirement for an academically strong 3-4 year qualified corporate lawyer.

EMPLOYMENT
To £44,000
Medium-sized City firm which has remained profitable and stable throughout the recession seeks employment specialist for role of contentious and non-contentious work. Must possess a high level of enthusiasm and initiative. Will be expected to take part in regular marketing activities. Good medium term prospects.

SENIOR SHIPPING
To £ Partnership
Medium/large City firm with existing banking practice seeks senior ship finance specialist with connections to help develop this area. Also actively seeking senior dry legal partner for partner designate role. Strong UK and US client base.

TAX/EEC
To £35,000
Unusual opportunity for UK or foreign qualified lawyer to join small London office of well respected US firm handling a mixture of tax, EEC and general commercial work. Ideally 1-3 years' exp. 21 degree and experience in either a specialist tax or EEC unit.

IN-HOUSE COPYRIGHT
To £35,000
London office of international television network seeks lawyer, ideally 1-3 years qualified, with good copyright training. Some previous exposure to broadcasting would be a major advantage. Varied caseload, including commercial contracts and licensing. Potential for travel.

BANKING
To £75,000
50 partner City firm with strong corporate base and small banking unit seeks solicitor with, ideally, 6-10 years' exp gained at top tier practices handling mainstream banking work. Personal connections an advantage, not a pre-requisite. Swift route to salaried partnership.

ZARAK
MACRAE
BRENNER

ZMB is open on 29th, 30th and 31st December. For further information on the vacancies listed above, or confidential expert career advice, please contact Jonathan Macrae or Lisa Hides (both lawyers) on 071-377 0510 (071-226 1558 evenings/weekends) or write to us at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential Ref: 071-247 5174.

ZMB

THE TIMES/NABARRO NATHANSON QUIZ OF THE LEGAL YEAR



Making news in 1992: Paddy Ashdown, Barbara Mills, QC, Rosemary "Lady" Aberdour, and Kevin and Ian Maxwell

Test yourself on 1992

LAWYERS! Fed up with television? Take some mental exercise with The Times/Nabarro Nathanson Quiz of the Legal Year.

Entries will be accepted from firms or individuals (one per person or firm) and the winning entry will not only receive a magnum of

champagne but a donation of £100 to a charity of their choice.

The winner must answer all questions correctly and provide the best statement, in not more than 30 words, of what, in his or her opinion, was the most significant legal event of 1992 and why.

The name of the winner, and the correct answers, will be printed in Law Times on Tuesday, January 19, 1993. The editor's decision shall be final. The Times shall be licensed to reproduce the winning statement and any other statement of particular merit.

January
The Legal Aid Board granted legal aid to 12,000 residents of Docklands, London. What was the nature of their claim?

February
1. A man was charged with handling stolen goods belonging to Paddy Ashdown's solicitors:
a. Who was he?
b. Who were the solicitors?

2. Kevin and Ian Maxwell faced charges of theft, fraud and conspiracy to defraud. They were both charged and released on bail. How much?

March
1. Which Freeman waged war against Lloyd's on behalf of disgruntled names?
2. Rosemary "Lady" Aberdour was found guilty of embezzling the National Hospital Development Foundation to fund a lavish lifestyle of parties, fast cars and servants. How much was she charged with having taken and what was her sentence?

April
1. A pop star successfully claimed defamation against The Face magazine:
a. Who was he?
b. What was he awarded?

2. Who was appointed as head of the Serious Fraud Office?

May
The Director of Public Prosecutions, Barbara Mills, QC, decided that 200 police officers would not face criminal proceedings over allegations of police malpractice. Which police force did they belong to?

June
1. Fred Bushell, the former head of the Lotus car com-

pany, was convicted of a "bare-faced outrageous and massive fraud" (Lord Justice Murray at Belfast Crown Court) against the DeLorean Sports Car Company. How much was his fine?

a. £750,000
b. £1.25 million
c. £2.25 million

2. Which distinguished judge died at the age of 86?

July
In a survey, which "itchy, antique, ridiculous and unhygienic" items did crown court defendants tell the legal profession they should keep?

August
1. The Channel 4 documentary *The Leader, His Driver and the Driver's Wife* provoked a colourful libel trial:
Competition rules: send entries by Monday January 11, 1993, to: Gabrielle Blamey, Nabarro Nathanson, 50 Stratton Street, London, W1X 5FL (or fax: 071-629 7900). Persons under the age of 18 and employees of Nabarro Nathanson or News-Inter-

a. Who was the "The Leader" and what colour were his underpants?

b. What did Charles Gray, QC, invite the jury to look through?

c. The costs of the plaintiff, Jani Allan, were estimated at:
a. £100,000
b. £300,000
c. £450,000

2. Which distinguished judge died at the age of 86?

September
1. Liverpool lawyer, Sean Sutton, got his client off a drink drive charge by discovering a loophole in the law. What was the loophole?
2. Mona Bauwens, the daughter of a prominent member of the Palestine Liberation Organisation, brought charges of libel against *The People* newspaper over an article concerning her on holiday in Mallorca with David Mellor, the former heritage secretary, and his family. For *The People*, George Carman, QC, asked a High Court jury: "Am I being unfair or unduly cynical in saying that ministers of the Crown are not

national and its subsidiary companies, and their families, are not eligible to enter this competition. Neither *The Times* nor Nabarro Nathanson will enter into any correspondence with entrants, who should keep copies of their entry forms and statements.

averse to...?" (Complete Mr Carman's question).

October
1. A girl of 14 obtained a court order to "divorce" her parents. Under which act did she win her "divorce"?

2. Who is the man, below, and what did he want you to do?



November
1. The three defendants in the "Matrix Churchill Case" were acquitted of illegally exporting arms making equipment to Iraq.
a. Who were they?
b. Which four government ministers signed public interest immunity certificates?
c. Which minister's evidence let the cat out of the bag?

December
Which minister faced calls to resign after two High Court judges found he had acted unlawfully over pith closures?

Employer of subcontract labour remains liable

Morris v Brevaglen Ltd
(trading as Amzac Construction Co)

Before Lord Justice Nourse, Lord Justice Beldam and Sir John Megaw
(Judgment December 11)

An employer who, under a labour only subcontract, sent his employee to work on site under the direction and control of the main contractor, remained liable to his employee if the system of work was unsafe.

If he had in the past allowed his employee to operate plant for which he had no proper instruction he would be liable for injury to his employee caused by such lack of instruction when the employee was using the main contractor's plant.

In such circumstances the employer was liable under regulation 3 of the Construction (General Provisions) Regulations (SI 1961 No 1580) if the plant was used in breach of those regulations.

The Court of Appeal so held in dismissing an appeal by the defendants, Brevaglen Ltd, from the judgment of Mr Justice Sheen in March 1992 that they and not the contractors, Sleemans Construction Ltd, were liable in damages for injuries sustained to the plaintiff, Mr Richard Morris.

Mr Oliver Tisdall for the defendants, Miss Elizabeth Andrew for the plaintiff.

LORD JUSTICE BELDAM said that the plaintiff, a building site worker, was employed by the defendants, who in 1981 by subcontract with the main contractors, Sleemans, had undertaken to provide labour for work at Dartmoor prison farm.

During the previous year the

plaintiff had been permitted by the general employer in the course of other work to drive a dumper truck although he had been given no proper instruction in its use.

By the terms of the subcontract the defendants were liable to observe and perform all safety obligations imposed by statute or common law and to maintain employer's liability insurance to respect of their employees.

The judge held that while working on the site, the main contractors had the right to control what the plaintiff did and how he did it.

In the course of his work, the plaintiff volunteered to drive Sleemans' dumper truck to take soil from the farm to a tipping site. While doing so the truck went over the edge of the site and the plaintiff suffered serious injury.

The judge found that the accident was caused by an unsafe system of work and by the plaintiff's lack of instruction in the use of the truck, which at the time was being used in breach of regulations 32 and 37 of the 1961 Regulations. He held the defendants liable for breach of their duty at common law and under the regulations.

The defendants contended that on the judge's findings the plaintiff had become Sleemans' employee for the work being done and that they and not the defendants were responsible for taking care for his safety and for breach of the regulations.

They relied on *Mersey Docks and Harbour Board v Coggins & Griffith (Liverpool) Ltd* [1947] AC 1, on *Holt v Rhodes & Son* [1949] 1 All ER 478 and on *Carroll v Southey & Co* [1952] 1 QB 174. When the court had to decide

whether a temporary or the general employer was vicariously liable for damage caused by an employee to a third party, the right of control was an appropriate test.

But if the employee was injured the general employer remained liable to him. He was personally liable for the performance of his duty to the employee and could not avoid liability if he delegated it to another who performed it negligently. *Wilson & Clyde Coal Co v McGregor* [1938] AC 57 and *McLennan v Ash & Sons* [1987] AC 906.

In any event, the defendants were liable because prior to the subcontract work they had been responsible for permitting the plaintiff to drive the dumper truck without proper instruction.

It was contended that the truck was being used in breach of regulations 32 and 37. The only question was whether under regulation 3 the defendants were at the time contractors or employers of workmen who were working or using the dumper truck.

The judge held that the defendants were taking part in the building operations through their employee and were bound to comply with the regulations. That decision was correct.

As subcontractors the defendants were carrying out work to which the regulations applied and through their employee the defendants were using the dumper truck to execute the works. They were liable to the plaintiff for breach of statutory duty.

LORD JUSTICE NOURSE and Sir John Megaw gave concurring judgments.

Solicitors: Nash & Co, Wimbeldon; Rowley Ashworth, Exeter.

AEG (UK) Ltd v Lewis

Before Lord Justice Nourse, Lord Justice McEwan and Lord Justice Hirst
(Judgment December 15)

A filter carrying out repairs to a domestic appliance at the owner's home did not have implied authority from the employer to accept a cheque from a third party for payment for the work.

In the absence of the employer's authority no right of action lay against the third party if the cheque was later dishonoured.

The Court of Appeal in reserved judgments so held. Lord Justice Hirst dissenting, dismissing an appeal by the plaintiffs, AEG (UK) Ltd, from the judgment of Judge Kenny in Slough County Court in July 1990 refusing their claim against the defendant, Mrs L. Lewis, on a cheque for £80.

Mr Barry Coulter for the plaintiffs; the defendant did not appear and was not represented.

LORD JUSTICE MCEWAN said that the plaintiffs' filter had gone to the house of a Mr Cash to do work requested by Mr Cash on a gas appliance.

After the work was completed the defendant, who was Mr Cash's daughter, signed a service repair sheet and gave the filter a cheque

for £80 for the repairs. Subsequently the defendant stopped the cheque because Mr Cash was dissatisfied with the work.

Judge Kenny held that the plaintiffs' claim based on the cheque failed as it was not supported by consideration.

The defendant, he found, was a volunteer who was entitled to change her mind and stop the cheque and there was no legal basis for enforcement proceedings.

Mr Coulter contended that on receipt of the cheque the plaintiffs released the debt owed by Mr Cash which release was consideration for the cheque moving from the plaintiffs to Mr Cash. While consideration had to move from the promisee, it need not, he said, move to the promisor.

In the present case, he submitted, the plaintiffs suffered a detriment as a result of their filter accepting Mrs Lewis's cheque in that by so doing the debt of Mr Cash was extinguished.

Mr Coulter accepted, however, that the cheque was not the consideration which emerged as the central issue in the case.

That was, whether the filter had express or implied authority from his employers not merely to accept the cheque for his work from someone other than the person who ordered it but in so doing to

release the latter from his debt. Clearly the filter was not given express authority to release Mr Cash's debt. Moreover the evidence established no implied authority to do so.

To allow the appeal on the evidence would be to hold that in any case where a cheque was accepted from someone other than the person who ordered the work, the filter had authority to release from his indebtedness the person who had ordered the work.

The reality was that the filter was saying to Mrs Lewis: "I'll take this cheque instead of cash, and, if it is honoured, well and good but if it is not my employer will look to the person who ordered the work to pay the bill".

The appeal should be dismissed. LORD JUSTICE NOURSE, concurring, said that if the filter had had authority from the plaintiffs to release Mr Cash from his obligation to pay by accepting Mrs Lewis's cheque, then both the obligation was released and the release was consideration for the cheque.

The plaintiffs would then have been entitled to sue on it. The filter had no such authority and Mrs Lewis was a volunteer who was entitled to stop the cheque at any time before it was honoured.

Solicitors: Gregsons, Wimbeldon.

Champerous agreement is void

Advanced Technology Structures Ltd v Cray Valley Products Ltd

Before Lord Justice Glidewell, Lord Justice Leggatt and Lord Justice Hirst
(Judgment December 21)

An agreement under which a managing director agreed to use all reasonable endeavours to assist his company in procuring proceedings to be considered for the payment of one-third of any damages recovered by the company net of their direct losses and legal costs was champerous and therefore void.

The Court of Appeal so stated in dismissing an appeal by Anthony Raymond Pratt against the judgment and order of Judge Davies refusing Mr Pratt's application to be substituted as plaintiff in an action between the plaintiffs, Advanced Technology Structures Ltd, and the defendants, Cray Valley Products Ltd.

Mr Desmond Wright, QC and Mr Karen Trow-Davies for Mr Pratt; Mr Roger Toulson, QC and Mr Justin Fenwick for the defendants.

LORD JUSTICE HIRST said that the intended plaintiff's case was that he should be substituted as a necessary party to the action under Order 15, rule 7(2) of the Rules of the Supreme Court on the footing that the plaintiff company, which had no assets, had validly assigned its cause of action against the defendants to him, and that he was the only person able effectively to pursue it, seeing that, although he was also devoid of means, he was entitled to legal aid and the plaintiff company was not.

The plaintiff company, which was owned 100 per cent by Mr and Mrs Ashfield, issued a writ against the defendants in January 1986 claiming tens of millions of pounds for misrepresentation, negligence and breaches of contract.

Mr Pratt had been appointed managing director in 1985. On September 17, 1986 an oral agreement was entered into that Mr Pratt would continue to use all reasonable endeavours to assist the company in the prosecution of the proceedings in return for the payment to him of

one-third net of the damages recovered.

On November 5, 1991 the plaintiff company and Mr Pratt executed an assignment under which, *inter alia*, the company assigned all its rights of action to him.

Champerous was defined in *Halifax's Law of England* (4th edition, vol 9, para 400) as "maintenance of a promise to give the maintainor a share in the proceeds or subject matter of the action".

An agreement which avowed of champerous because it involved trafficking in litigation was contrary to public policy and void. That rule was expressly preserved by sections 13 and 14 of the Criminal Law Act 1967 which abolished criminal and tortious liability for champerous.

However, where an assignee could show that he had a genuine commercial interest in the enforcement of the claim assigned he did not fall foul of the rule. While Mr Toulson had accepted that there could be no objection to

release the latter from his debt. Clearly the filter was not given express authority to release Mr Cash's debt. Moreover the evidence established no implied authority to do so.

To allow the appeal on the evidence would be to hold that in any case where a cheque was accepted from someone other than the person who ordered the work, the filter had authority to release from his indebtedness the person who had ordered the work.

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The plaintiffs would then have been entitled to sue on it. The filter had no such authority and Mrs Lewis was a volunteer who was entitled to stop the cheque at any time before it was honoured.

Solicitors: Gregsons, Wimbeldon.

Planning immunity after four years

Dunstable Borough Council v Secretary of State for the Environment and Amherst

The immunity from enforcement notice proceedings after four years, under section 172(4)(c) of the Town and Country Planning Act 1990 (now section 171(2)), as inserted by section 4 of the Planning and Compensation Act 1991 applied equally to a breach of planning control consisting of the change of use without planning permission of a single dwelling house into two or more, separate dwelling houses as to the unpermitted use of a building as a single dwelling house.

The Court of Appeal (Lord Justice Dillon, Lord Justice Farnham and Lord Justice Simon Brown) so held on December 21 in a reserved judgment allowing the appeal of the Secretary of State for the Environment against the decision of Mr Justice Webster in the Queen's Bench Division on November 7, 1991, ordering the Secretary of State to rehear the appeal of Mr A. Dunnill against an enforcement notice issued by Dunstable Borough Council on June 4, 1990.

LORD JUSTICE SIMON BROWN said that he accepted the Secretary of State's essential argument that the language of the section, when construed in the context of sections 55(3)(a) and 55(3)(b), was capable of encompassing developments within the definition of the section and thus it applied to as to benefit all new separate residences after four years.

The exercise of the owners' discretion whether to allow a vessel under the terms of a charterparty to proceed to the port of discharge when they believed that that port of loading was unsafe or dangerous had to be made on a reasonable, pragmatic or unreasonably manner but honestly and fairly in the interests of all the parties.

The Court of Appeal (Lord Justice Balcombe, Lord Justice Mann and Lord Justice Leggatt) so held on December 4 when (i) dismissing the appeal of Product Star Shipping Ltd from the decision of Judge Anthony Dillon, QC, sitting as a deputy judge of the Commercial Court, on July 19, 1991 that their refusal to allow the vessel Product Star to proceed to load was a repudiatory breach of the time charterparty of April 6, 1987 made between them and the charterers, Abu Dhabi National Tanker Co and (ii) allowing the owners' appeal from Judge Dillon's decision that damages were to be awarded to the charterers for that breach and varying the quantum awarded.

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Police complaints papers cannot be used in civil case

Regina v Chief Constable of the West Midlands, Ex parte Wiley

Before Lord Justice Beldam, Lord Justice Nourse and Lord Justice Hirst
(Judgment December 16)

Documents which were created and came into existence for the purpose of a police complaint investigation were not to be used for any purpose in civil proceedings except to enable a legal adviser to advise on discovery.

Any enquiry carried out by the Police Complaints Authority would be seriously handicapped by the fact that a complainant would be unwilling to make a statement which could be used to his disadvantage in civil proceedings.

When determining whether to grant the police's request for a dispensation from the investigation of a complaint, the Police Complaints Authority was not obliged to consider the reasonableness of the refusal or failure by a complainant to make a statement.

Mr Justice Popplewell so held in the Queen's Bench Division when allowing applications of Kelvin Raymond Wiley and Tony Sunderland for judicial review of the decisions of the Chief Constables of the West Midlands and Nottinghamshire respectively, refusing to give undertakings that documents created in relation to police complaints investigations would not be used or relied upon in civil proceedings brought by the applicants, and dismissing Mr Wiley's and Anne Johnson's applications for judicial review of the decisions of the Police Complaints Authority which dispensed with the requirements to investigate the applicants' complaints.

Mr Frederic Reynolds, QC and Mr Richard Clayton for Mr Wiley; Mr Richard Clayton for Mr Sunderland and Ms Johnson; Mr Jeremy Gompertz, QC, Mr Gareth Evans and Mr Stuart Sleeman for the chief constables; Mr David Pannick, QC, for the Police Complaints Authority.

MR JUSTICE POPPLEWELL said that documents obtained and information resulting from complaints procedure investigations were closed for the purposes of civil litigation.

The half-way house contended for by the chief constables, that the use of the complaints statement by way of cross-examination was prevented, but that their legal advisers were entitled to use it for other purposes was not logical. Either the chief constable could use whatever information came into his hands as a result of the complaints procedure for the purpose of civil litigation, or he could use none of it.

The legal basis for his Lordship's conclusion took account of the fact that not only did justice envisage the equal treatment of both parties as far as possible, but that also if allegations were not properly investigated the public interest would not be served.

The purpose of the investigation would be emasculated and frustrated if a complainant or witness was reluctant to make a statement because of apprehension that it would be used in other proceedings.

When considering the request for a dispensation it was open for the Police Complaints Authority to conclude that it was not reasonably practicable for them to complete their investigations without a statement from the complainant.

Solicitors: White & Bingham, Wolverhampton; Nelson Johnson & Hastings, Nottingham; Edwards Frai, Liverpool; Treasury Solicitor; Mr J. M. Kilbey, Birmingham; Mr C. P. McKay, Nottingham.

allowing applications of Kelvin Raymond Wiley and Tony Sunderland for judicial review of the decisions of the Chief Constables of the West Midlands and Nottinghamshire respectively, refusing to give undertakings that documents created in relation to police complaints investigations would not be used or relied upon in civil proceedings brought by the applicants, and dismissing Mr Wiley's and Anne Johnson's applications for judicial review of the decisions of the Police Complaints Authority which dispensed with the requirements to investigate the applicants' complaints.

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Treaty veto hurts Swiss interests says Efta chief

By COLIN NARBROUGH, WORLD TRADE CORRESPONDENT

THE Swiss people's clear No on December 6 to European economic integration not only threatens to curb growth in Switzerland but casts doubt on the country's skill in identifying its economic best interests, according to Georg Reisch, secretary-general of the European Free Trade Association (Efta).

Although subsequent opinion polls suggest that many Swiss would now reverse their rejection of the implementation of the European Economic Area (EEA) agreement — the single market of 380 million consumers encompassing the European Community and Efta — the fear remains that German-speaking Switzerland has effectively shot the financial gnomes of Zurich in the foot.

While only a narrow majority of 50.3 per cent of voters were against the EEA, 16 of the 23 cantons delivered a No to the pact. The German-speaking regions were solidly against it while French speakers were three to one in favour. In an interview with *The Times*, Dr Reisch, a veteran of international trade diplomacy, made no secret of his disappointment over the Swiss vote.

which he fears could affect voting sentiment in his own country, Austria. The EEA was due to come into force this week, but the Swiss refusal has forced its Efta partners, Austria, Liechtenstein, Sweden, Finland, Norway and Iceland, to delay implementation.

The Nordic members, three of which are about to open formal negotiations with Brussels on membership of the European Community, are meeting in Denmark today. Earlier this month Efta ministers agreed to draft an additional protocol to the EEA treaty to allow it to go ahead without Switzerland.

Dr Reisch, convinced that the Swiss will reverse their vote by mid-1994, puts his immediate priority as limiting the economic damage caused by the EEA delay. He stresses that the crucial difference between the EEA agreement and the Maastricht treaty is that Efta can press ahead with implementation of the single market despite the Swiss opt-out. Creating a multi-tiered treaty, Dr Reisch says, would be "completely senseless".

With Switzerland in mind, he points out that the EEA will not only lower trade costs but

improve and guarantee market access for Efta's service industries, as well as improve the integration of Europe's capital markets. Services, he stresses, account for about 60 per cent of the Swiss economy.

A study by Goldman Sachs, the American investment bank, found the main cost to Switzerland of opting out would be lower economic growth in the medium term. Investment diversion away from Switzerland could cut non-mortgage lending by Swiss banks by 20 per cent.

Dr Reisch is not gloomy about the future, however. He sees a new lease of life for Efta developing its role as a "kindergarten" for countries seeking EC membership. "It could be useful for those countries preparing for economic and political maturity," he says. Efta has already concluded free-trade accords with several eastern and central European countries.

Dr Reisch believes Efta can also "pat itself on the back" for other important steps to foster open trade, including progress in the complex negotiations of national origin of components in increasingly cross-border industries such as car making.



Motoring ahead: Nick Lancaster, chief executive of the Malaya Group, who is currently looking for more potential acquisitions

Malaya moves up a gear with first buy

By OUR CITY STAFF

MALAYA Group, the motor trader, has made its first acquisition since a new management team took a controlling 54 per cent holding in August. It is paying £1.4 million for Western Motor Works (Chislehurst), a profitable Vauxhall dealership based in Chislehurst, Kent, with a body repair business at nearby Belvedere. The deal is £1.1 million in cash and 1.5 million new shares.

Nick Lancaster, chief executive of Malaya, said: "This acquisition meets our criteria of compiling a broadly based retail motor group encompassing volume and specialist franchises in London and the home counties." He added: "The group continues to pursue other potential acquisitions and anticipates further announcements in 1993."

Malaya is based in Crawley, West Sussex, and has a Mercedes-Benz franchise.

Caverdale Group, a car dealer based in Luton, Bedfordshire, has exchanged contracts to buy Andre Baldet, a Northampton Citroën motor dealership, for up to £885,000.

Caverdale, which recently acquired Dunham & Haines, said the step would further its strategy of building a substantial motor dealers group.

Payment comprises £500,000 of non-interest-bearing loan notes, £300,000 cash and 833,333 shares. A further £35,000 cash is payable when Baldet's assets have been determined.

C&W competes for Greek phone stake

By PHILIP PANGALOS

CABLE and Wireless is one of 13 international telecommunications operators pre-selected for participation in the privatisation of the Hellenic Telecommunications Organisation (OTE), Greece's state-owned telephone company.

Greece plans to sell a 49 per cent stake in OTE, with 35 per cent of its shares going to a foreign telephone company and another 14 per cent to OTE's employees and the public.

Expressions of interest were requested from experienced telecom operators for the proposed sale of a 35 per cent stake in OTE. The pre-selection process is to identify experienced operators with the financial and other resources to lead a consortium able to carry out significant modernisation of the group.

Other organisations to have been pre-selected include AT&T, France Telecom, Southwestern Bell, Telefonica and STET, the Italian state phone company which in August won a £160 million 20-year licence to develop a mobile phone system in Greece.

The proposed privatisation of OTE is Greece's boldest move so far as the government attempts to follow Britain's "popular capitalism" path.

Dow holds steady in slow trade

New York — Blue chips traded in a narrow range around Thursday's closing levels in slow late-morning activity.

The Dow Jones industrial average was down 0.81 at 3,325.43. Losers led gains four to three. Traders said weak bond prices and a sell-off in Tokyo overnight combined to discourage buyers.

Despite the generally soft tone, analysts said they expect the market to move higher as the week progresses, maintaining its historical trend of climbing during the last week of the year. Hugh Johnson at First Albany Corp said the market has risen the last week of the year in 16 of the past 22 years.

□ Tokyo — Shares closed just off the day's lows in very thin trade. The Nikkei average was down 368.42 points, or 2.10 per cent, to 17,188.62, with about 100 million shares traded. The broader first section Topix index was down 19.98 points, or 1.49 per cent, to 1,321.84. Selling by investment trusts and dealers squeezed prices, while most investors shunned the market.

□ Hong Kong — Year-end window-dressing pushed shares higher, but trading was lacklustre. The Hang Seng index finished at 5,531.65, up 89.64 points, despite Taiwan's plunge of 3.7 per cent on fears of political instability after the opposition's strong gains in elections. "Prices rose across the board on institutional buying, with small investors taking profits," said Raphael Chan, a manager at Sun Hung Kai Securities.

□ Frankfurt — Shares forged ahead in quiet trade, taking the Dax index to its highest close for four weeks. It finished at 1,544.61, 17.66 points above its pre-holiday close. (Reuters)

Olivetti gives warning of large loss for year

OLIVETTI, the Italian computer maker, expects to make a 1992 operating loss of £130-150 million (£141-164 million, Corrado Passera, the managing director, said. "To that figure we will need to add the extraordinary costs of restructuring in addition to tax," he said in an interview in *Il Sole-24 Ore*. In 1991, Olivetti made an operating loss of £28 million. He did not say what the consolidated loss would be but said it would not be light.

Turnover for the year would be just under £8,000 billion, down £700 billion from a year earlier, he added. Last year, Olivetti made a consolidated loss of £145.8 billion. Net debt in 1992 would touch £1,200 billion, up from £1,171.9 billion. The company was making a charge of £300 billion for the shedding of 5,000 employees.

Johnson quits Invesco

NICHOLAS Johnson, a former deputy chairman of Invesco MIM, the UK fund management group, in which Li Ka-shing, the Hong Kong entrepreneur, has a 24 per cent stake, has resigned. Invesco MIM said Mr Johnson's leaving was amicable, and followed an earlier change in management structure that came when Lord Stevens of Ludgate, chairman, stepped down as the group's chief executive in August. Charles Brady, now chief executive, has assumed Mr Johnson's responsibilities, which cover the operations in Europe.

Haden subsidiary sold

HADEN MacLellan Holdings, the specialist engineer, has sold Spaldings Agricultural Holdings, a subsidiary, for a total of £8.5 million. Spaldings, which supplies replacement parts, tools and accessories in Britain, Ireland and France, has been acquired by a management team backed by Causeway Capital. The price includes £6 million in cash and the assumption by the buyers of company debts of £2.5 million. In 1991 Spaldings earned profits before tax of £88,000 after interest costs of £429,000 on turnover of £18 million.

Qualcast cuts loose

BLUE Circle Industries has sold Atco Qualcast, its loss-making garden-products company, to the management for £17 million. Atco Qualcast markets lawnmowers and Serpar spare parts. In 1991, the company recorded an operating loss of £1.7 million. The management buyout has been backed by Candover Investments. Charles Young, chief executive of Blue Circle's home products division, said £17 million was a "good price".

DAF reduces working

DAF, the loss-making truck builder, will put 2,800 of its 5,000 employees in The Netherlands on half-time for six weeks in January and February, a spokesman for the company said. The Dutch government will top up the salaries of employees affected by the move so they will not suffer any loss, he added. Production was halted at the company's main Breda factory over the Christmas holiday and will only return to normal in the eighth week of 1993, he added.

CHANGE ON WEEK

US dollar	1.5330 (-0.0345)
German mark	2.4408 (-0.0123)
Exchange index	79.5 (-0.9)
Bank of England official close (4pm)	

FT 30 share

2165.6 (+18.0)
FT-SE 100
2827.5 (+37.8)
New York Dow Jones
3326.24 (+12.97)
Tokyo Nikkei Ave
17648.85 (-31.89)

Stock	Price	Change	Vol	Open	High	Low	Close
Outstanding (Shares)	Stock						
SHORTS (under 5 years)							
600 Tm 10/1/95	99%	...	6.62	6.60			
1000 Tm 10/1/96	100%	...	8.28	8.00			
1000 Tm 10/1/97	100%	...	9.60	6.65			
1000 Tm 10/1/98	100%	...	12.1	6.65			
1000 Tm 10/1/99	100%	...	15.63	6.65			
1000 Tm 10/1/00	101%	...	8.26	6.60			
1000 Tm 10/1/01	100%	...	6.62	6.60			
1000 Tm 10/1/02	100%	...	9.57	6.60			
1000 Tm 10/1/03	100%	...	10.00	9.94			
1000 Tm 10/1/04	100%	...	15.40	9.94			
1000 Tm 10/1/05	100%	...	13.32	9.94			
1000 Tm 10/1/06	99%	...	3.19	9.89			
1000 Tm 10/1/07	100%	...	5.52	9.80			
1000 Tm 10/1/08	100%	...	8.60	9.80			
1000 Tm 10/1/09	110%	...	11.11	9.65			
1000 Tm 10/1/10	100%	...	6.66	1.14			
1000 Tm 10/1/11	100%	...	9.16	7.10			
1000 Tm 10/1/12	111%	...	11.11	7.10			
1000 Tm 10/1/13	111%	...	11.10	7.10			
1000 Tm 10/1/14	111%	...	11.10	7.10			
1000 Tm 10/1/15	111%	...	11.10	7.10			
1000 Tm 10/1/16	111%	...	11.10	7.10			
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1000 Tm 10/1/72	111%	...	11.10	7.10			
1000 Tm 10/1/73	111%	...	11.10	7.10			
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1000 Tm 10/1/83	111%	...	11.10	7.10			
1000 Tm 10/1/84	111%	...	11.10	7.10			
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1000 Tm 10/1/93	111%	...	11.10	7.10			
1000 Tm 10/1/94	111%	...	11.10	7.10			
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A mountain of work in store

An innocent-looking pamphlet from Price Waterhouse, the accountants, asks: 1993 — Are You Ready? Its scope is confined to coping with the effects of changes in the VAT regulations for any business buying, selling or transferring goods to or from another EC country from January 1. The abolition of mainstream customs formalities effectively shifts the VAT obligations from shippers and forwarders to the company's own accounting system. Collection of intra-EC trade statistics will also fall on importers and exporters. The result — extra work. Paid work for accountancy consultants but not for harassed traders. As Price Waterhouse notes: "The proposals will undoubtedly mean changes to accounting systems and possibly to whole computerised information systems".

Some traders will have to cope with even more complexity. For instance, mail order houses selling more than 100,000 eu's worth of goods to consumers in any other EC country will have to register and account for VAT there as well, though registration thresholds vary and will be much lower in some member states. Triangular trade, involving a sale to a company in one country for delivery in another "is possibly the most difficult area of the 1993 changes and each situation will need to be considered individually to ensure the correct treatment". A different set of rules covers services.

So much for the dawn of an exciting new era of opportunity in the opening of the single European market. Could anything be better guaranteed to wake managers more rudely from the afterglow of Christmas? Such realities weigh more heavily than a dozen speeches from Neil Hamilton, the trade minister, heralding vigorous government campaigns to cut red tape. To the government, after all, the abolition of intra-EC customs is a breakthrough in deregulation. Once business has made the change, there should indeed be a net benefit. The headache comes first.

Sadly, EC single market regulations provide only one of many instances where managers will need to ask themselves whether they are ready for 1993, before they get down to staying in business, selling goods and even making progress. Domestic regulation will cause mountains of work, much of it in good causes. Public companies will need to draw up their accounts in different ways to meet new accounting standards. Most boardrooms will need to be reorganised to comply with the Cadbury code. Scouts will be out looking for undiscovered herds of bright but safe non-executive directors — don't call us we'll call you. Even companies launched on the stock markets in recent years with what were then model practices will need to make some changes.

Spare a thought for British Gas, which must spend much of its management effort in 1993 justifying its very existence to the monopolies commission. Privatised utilities, which account for a good slice of Britain's wealth creation, routinely appear to spend about a third of their top management time dealing with regulatory matters. In too many instances, times are far from normal. To help the government dig itself out of its own political pit, the coal and electricity industries will be particularly pre-occupied, long before they can focus their efforts on such mundane matters as raising productivity or generating and delivering power more efficiently. Pension managers, likewise, will have far more than investment returns on their minds as they prepare for legislative reform. The securities industry may finally have to make the change to paperless share trading, before worrying about the daily demands of clients.

As if all this were not enough, business will need to change its mentality from coping with recession to planning for recovery, preferably somewhere near the top of the priorities for 1993. Get to it chaps.

In 1992, even the things that went right did so for the wrong reasons

Anatole Kaletsky looks back over his forecasts for a year in which limited economic successes were shrouded in political failure

In the past two years, I have tried to lighten the seasonal gloom that now seems to settle on the world at Christmas by offering some unconventionally cheerful predictions for the coming 12 months. My hunches about 1993 will appear next Monday but, first, a review of 1992, built round an audit of how my forecasts have worked out. Last January, I made four hopeful predictions. First, I said that interest rates (which were then 10.5 per cent) would fall to 7 or 8 per cent by the end of the year, regardless of who won the election, what happened to the ERM, or any other political and economic conditions. Second, I said the pound (which was then at \$1.90 and DM2.85) would fall unconditionally against the dollar (which, at the end of last year appeared to be in free-fall). Against the mark, I felt the pound had more of a chance, since Germany was clearly on the brink of an economic and political mess that the Bundesbank and the market might just wake up to in the first few months of the year. If, however, German interest rates were not cut sharply in the first few months of 1992, the pound would certainly be devalued in the second half of the year, regardless of unflinching commitments to the ERM.

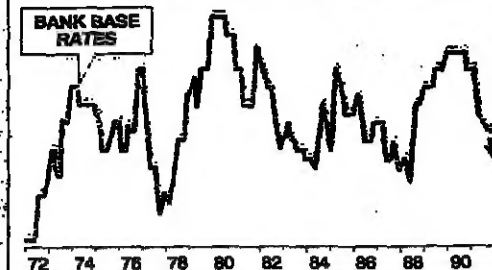
My third hunch was less numerically precise. The Bundesbank would increasingly be blamed for all economic problems in Britain and Europe and would lose much of its respect. Inside Germany, it would be discredited by creating an economic slump and ruining the hopes of reunification, yet still failing to stop inflation. Externally, the German central bank would be accused of trying to sabotage or delay monetary union, yet it would still find itself submerged in some kind of pan-European institution well before the Maastricht deadline of 1999.

Finally, I rashly made some financial predictions. Britain's housing market would begin to recover and prices would start to rise at about the same rate as workers' average earnings. The stock market, which had fallen so steeply at the end of November 1991 that some City analysts were predicting a replay of Black Monday, also seemed likely to rise by the end of 1992, but only by about as much as average earnings. In the meantime, however, there would be some "huge gyrations", perhaps echoing a run-up in Wall Street as recovery in America gets under way, followed by a 1987-style crash in the summer, after investors have thrown caution to the winds.

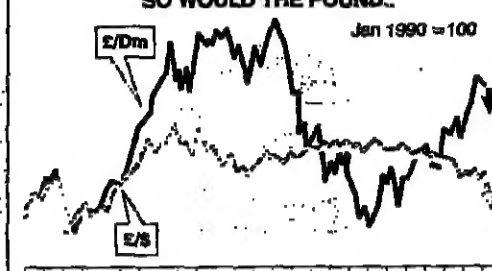
How, then, did I do? At first sight,

LAST JANUARY'S PREDICTIONS

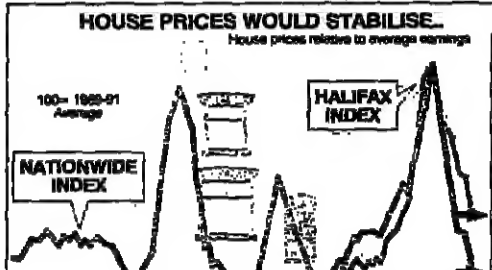
INTEREST RATES WOULD FALL SHARPLY.



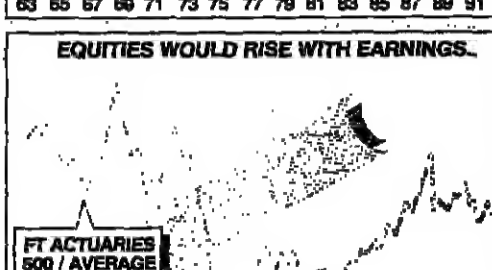
SO WOULD THE POUND.



HOUSE PRICES WOULD STABILISE.

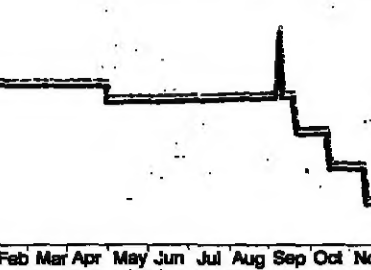


EQUITIES WOULD RISE WITH EARNINGS.

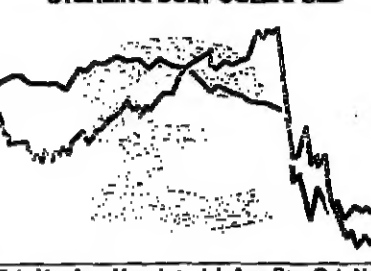


HOW THEY WORKED OUT

THEY FELL AS PREDICTED



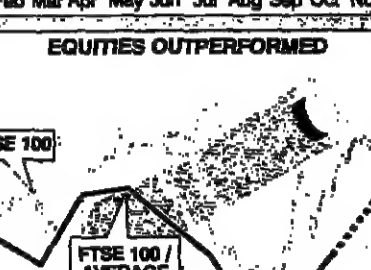
STERLING DULY COLLAPSED



THEY WENT ON SINKING



EQUITIES OUTPERFORMED



the record of two clear hits out of four would seem little better than that of the proverbial monkey with a typewriter. The truth is both better and worse (remember economists are always ambidextrous). The forecast of 7 per cent interest rates (which was the one readers found least plausible a year ago) may have been a bull's eye, and the assertion that sterling was bound to be devalued in the second half of the year was also spot on. Unfortunately, however, both were right for the wrong reasons.

I thought that interest rates would be slashed because John Major would be moved by the prospect of losing the election. And if Mr Major did not understand that interest rates would have to fall below 8 per cent to start a recovery, the electorate would finally have the chance to replace him with someone who had a better grasp

of economics. If he failed to cut interest rates, Neil Kinnock would soon be prime minister and desperate to consolidate his minority government. He would not waste time worrying about commitments to the ERM. This mistaken political analysis led me to the correct conclusion: not only on interest rates, but also on sterling's devaluation against the mark.

In the event, of course, it was not the electorate but the foreign exchange markets that rumoured Mr Major. The speculators reasoned exactly as I had suggested: an economic recovery would be impossible as long as Britain's monetary policy remained tied to the Bundesbank's; ergo, Britain would have to leave the ERM. Unfortunately for the prime

minister, the investors who saw so clearly through the contradictions of British economic policy were not yet ready to apply the same critical faculties to Germany. Only in the last few weeks have the markets begun to rumble the German "economic miracle". Few investors are yet prepared to acknowledge that the Bundesbank could vie with the British Treasury in a contest for economic incompetence. Last January, I felt certain that sterling would fall against the dollar, but thought the mark might do so as well, as the Bundesbank's reputation suffered. In the event the mark weakened only slightly, by less than 5 per cent, while sterling plunged by 18 per cent. But this story is not over, of which more next week.

Returning to Britain and the ERM: the way that the Gordian knot was cut by speculators, instead of

voters or politicians, has had far-reaching consequences. These are still only dimly understood. These consequences go some way to explain the failure of my housing and stock market predictions and, more importantly, to offer some clues about how the economy and the financial markets might perform in the coming year.

I thought that house prices would start rising, because the economy would start to recover in response to sharply lower interest rates. The same logic suggested a roller-coaster ride in equity prices, ending up a little above where they started. (Because the stock market overreacts to events it foresees 6 to 12 months ahead, it usually rises and then falls sharply at the start of an economic recovery before settling into a steadier upward trend.)

In the event, however, the sharp fall in interest rates has not led to improving expectations, still less the reality of an economic recovery. In a series of own goals that has been spectacular even by the shambolic standards of this government, Norman Lamont has managed to present the interest rate reductions that should have revived consumer and business confidence as the latest stigma of economic failure.

As a result, Britain's withdrawal from the ERM, which should have been recognised by every hard-pressed consumer, businessman and homeowner as a deliverance — the economic equivalent of the US cavalry's bugle-call waiving over the canyon ridge has, instead, actually diminished economic confidence.

It is this unexpected and totally irrational collapse of confidence in the wake of White Wednesday that in my view accounts for the weakness of the economy in the last three months of 1992. A month ago, the dismal psychological effects were compounded by an Autumn Statement that lived up fully to the Treasury's reputation for doing too little too late. In the months ahead, just as retailers begin recovering their confidence after a disappointing Christmas, the government will doubtless do its best to depress spirits further by floating stories about the need for higher taxes in the Budget and by keeping back the further cuts in interest rates, now desperately needed, as a sweetener for Budget time.

The upshot is that the recovery is taking much longer to come through than I had expected. And the economy is far weaker than it might have been by now if interest rates had been cut to 7 or even 8 per cent as a deliberate act of policy, reflecting either economic sanity or political expedience.

In the end, however, the economics of low interest rates will prevail over the psychology of recession. The recovery will surely now take place. Thus, the predictions on house prices and stock market movements should still be realised, but, along with the loss of faith in the Bundesbank, they will have to be deferred into next year. More about that next week.

BUSINESS LETTERS

Anti-European undertones in Russian 'gradualism'

From Mr Andrei Ostalsky
Sir, I was quite surprised by Wolfgang Münchau's commentary in the edition of December 22, or, rather, not by the article itself (it can be argued that different perceptions must be reported), but by the way you chose to present it as a "European View".

It is true, that similar notions are now shared by many in Russia itself. In fact, there is a well-orchestrated campaign going on to advocate the so-called "gradual" approach to reforms. But hardly anyone in the former USSR fails to feel its anti-European, anti-Western undertone. So that a

Westerner should give it his full support, seems to me somewhat bizarre.

Doesn't an alarm bell ring when the same so-called "gradualists" in parliament, who toppled Yegor Gaidar, vote to support the Serb government in its confrontation with the West? The market reform, if successful, will dismantle the military industry and, by doing so, cause enormous — though, hopefully, temporary — hardships for many. And it will also erode the power-base of the neo-communist and nationalist opposition. It's understandable, that they are not going to

give up with out a fight. Hence, all this talk of "gradualism". How, I wonder, do you "slow down" something which is hardly moving at all? The Russian economy remains 99 per cent socialist and is still militarised to an extent of war-time proportion. It can be argued, that — contrary to what the "gradualists" preach — it was this lack of momentum, this hesitation to apply the "shock therapy" (which never happened in Russia, of course) that put the country into the current political, economic and psychological crisis.

Mr Münchau accuses the IMF of bringing stagnation to Russia; but the reality is just the opposite, the IMF recommendations were never implemented. The most important prices are still artificially frozen (so real incentives for development can't be introduced), the perverted system of modern serfdom is intact and the new prime minister is suggesting he will give away new billions of state credits to bankrupt heavy industry.

In fact, it was this policy of crediting those who produce something which is not saleable (because nobody needs it), that has hurt the economy more than anything else, causing the crazy rates of inflation. And it was brought about not by the International Monetary Fund but the "gradualists" who control the parliament and the Central Bank. At the end of the year they achieved many new victories: not only did they get rid of Mr Gaidar, they also adopted a new budget, in which openly — and with some venom — they snubbed the IMF by approving a deficit far exceeding the 5 per cent ceiling.

Yours faithfully,
ANDREI OSTALSKY,
Foreign Editor of *Izvestia*.

Short memory

From Mr Peter Spring
Sir, Your front page article (December 16) titled "Break up of British Gas demanded by watchdog" says: "Ofgas, the regulatory body, rejects suggestions its proposals would amount to a breach of faith with shareholders. We believe that the terms of the offer for sale ceased to have any legal or moral standing several years ago." Ofgas said.

How can this be reconciled with the following comment in *The Economist*: "He [the regulator] discounts speculation that British Gas should be broken up like the electricity industry, with the national pipeline vested in an independent, state-run company. In his view, the legal and political complications of reneging on the 1986 sale prospectus effectively rule that out." This dates to December 15, 1990 — perhaps somewhat less than several years ago.

Should all government privatisation documents now carry a health warning stating clearly that nothing contained within should be construed as having any legal or moral worth whatsoever? Yours faithfully,
PETER SPRING,
155 Elms Crescent,
SW4.

Access's excess zeal

From Mr Peter J. R. Bradley
Sir, Dr Coatsworth should worry about Barclaycard interest (Business letters, December 17). Access charged me £8 interest on £120 and paid early. Only when I challenged Midland Bank's chief executive was it refunded. Yours faithfully,
PETER BRADLEY,
14 Well Street,
Buckingham.

THE TIMES CITY DIARY

Ski sponsors to the rescue

THE Stock Exchange Ski Club — host to the international inter-bourse championship in St Anton, Austria, early next year — which complained that its request for sponsorship from the stock exchange had fallen on deaf ears, has found an alternative. The ski club was miffed that when the eyes of rival financial centres would be trained upon it, the exchange had spurned both it and a useful marketing opportunity by refusing to foot the £600 bill for lapel badges. After learning of its plight in the *City Diary*, two other City organisations have sprung to the rescue, volunteering the funds. The club's salvation is not without irony however. The two bodies that have put their hands in their pockets are The Securities Institute, the new organisation for individual members of the stock exchange, and Trade Point, the UK offshoot of a Canadian company, which is developing an order-matching electronic dealing system, a potential alternative to the market operated by the stock exchange. Adding to the irony, the chairman of Trade Point turns out to be none other than Stephen Raven, a long-time member of the stock exchange council and its various committees, until they were disbanded by Peter Rawlins, chief executive of the exchange.

A betting man

NOT all is depressed in the Square Mile. Gills guru Stephen Lewis, once a partner at



"Yoo hoo — I'm home."

Phillips & Drew and these days part owner (25 per cent) of the London Bond Broking Company, a joint venture with Albert E. Sharp, is decidedly cheerful at the moment. For a man who once declared — in a banner headline in the *Evening Standard* — that 50,000 City jobs would be lost as a consequence of the 1987 crash, and who had a reputation for being eternally bearish, his change of mood is all the more significant. "We are actually very busy, things are going extremely well. In fact, we are exceeding our targets by a comfortable margin," says Lewis, whose official title is head of research. Lewis, even then in frivolous mood, mailed out dice with his Christmas cards, printed with six different instructions: "Buy", "Hold", "Sell", "Panic", "Go to Lunch", "Call LBB". "I play chess myself, but no games of chance," Lewis admits. "I'm very averse to gambling, but very much in support of betting — because betting involves some input.

There is a difference, you know."

Women's network

THE lobby to get more women on company boards has been unimpressed, so far, by Pro Ned, the agency that specialises in finding independent non-executive directors. Now, however, Margaret Brewster, Pro Ned's research head, is helping the City Women's Network produce a register of high-flying City women bankers and lawyers of non-executive calibre. Eve Newbold, company secretary of Hanson, and former CWN member, believes it is a good idea. "So far, Pro Ned has not done much for women," she says. "I'm frequently asked if I can nominate women as non-executives in various fields. Chairmen simply don't know where to find them." Newbold says the membership list for Forum, another business women's network, is always in demand and sees a similar role for the younger-profile CWN list.

Hot shot

RIVALRY between Touche Ross and fellow accountancy firms is not confined to work. It seems. This summer, Pannell Kerr Foster produced an Olympic gold medalist — Sally Gunnell, the hurdler. Now Touche is boasting Michael Walton, 29, who has been selected for the Great Britain target rifle shooting team. Walton will represent his country next spring during a five-week tour of South Africa and Zimbabwe, the first such tour for 30 years. Well known

at Bisleigh, the national shooting centre, Walton previously represented the County of London. He is also the *Gazette* champion for best short surveyor. His entry in that contest is not as odd as it sounds — he was a surveyor at Richard Ellis before being poached for Touche Ross, by Ian McIsaac, a Touche partner and former managing director of Richard Ellis, for its property reconstruction team.

Scotched rumours

SPECULATION in Edinburgh watering holes about threatened mass walkouts at Bell & Lennie White, the broker, first reported here last week, refuses to die down. Frank Malcolm, a director known affectionately as Frankenstein, is reportedly offering large pay increases to persuade key analysts to remain, much to the anger of commission-earning salesmen. Bill Blair, the firm's star pharmaceuticals analyst, a recent entrant in the top ten in *Exel's* league table, is said to have been offered a 100 per cent pay rise to ensure his loyalty, but he has denied that any such offer has been made. "That would have been nice but the answer is emphatically no," he says. Meanwhile, amid intense interest, the firm continues to insist that Gilmour Thom, also a director and one of the firm's most popular members of staff, is not suspended but on holiday until January 4. The financial community in the Scottish capital is waiting with bated breath...

CAROL LEONARD

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سازمان ملل متحد

BBC1

7.00 News, regional news and weather (5834900)

7.10 Children's BBC begins with *Hallo Spencer*. Puppet series (i) (2619875) 7.35 *Barbarians*. Adventures of a regal young elephant (i) (9113707)

8.00 News, regional news and weather (7841558) 8.10 *Cuckoo!land*. Comedy series from New Zealand (i) (2610638) 8.35 *Swamp Thing*. Adventures of a part-man, part-plant creature (i) (1623638)

9.00 News, regional news and weather (5882320) 9.05 *Come Midnight*. Episodes for young people at a loose end (a) (2363320) 10.05 *Playdays* (a) (9736417)

10.30 *Film: Ferry to Hong Kong* (1981) starring Curt Jurgens, Orson Welles and Sylvia Syms. Ponderous international drama about a ferry captain who is lumbered with a drunken layabout. Their antipathy disappears when they have to rely on each other for survival during a violent storm. Directed by Lewis Gilbert, now better known for *Shirley Valentine* (57225417)

12.20 *Cartoon: Pipe Dream* (1995952) 12.25 *Animal Sanctuary*. A portrait of Burrow Wildlife Sanctuary, near Gargrave, founded in 1989 by Penny Boyd. (CeeFax) (a) (5127435) 12.35 *Regional News and Weather* (5818884)

1.00 News with Philip Hayton. (CeeFax) Weather (40718320) 1.10 *Neighbours*. (CeeFax) (a) (4827387)

1.30 *Film: The Entertainer* (1976). Gene Kelly and Fred Astaire perform songs from films made during the golden days of MGM musicals. (CeeFax) (11525185)

3.35 *Cartoon Double Bill* (5637455) 3.50 *Pinocchio*. Animated adventures of a clumsy penguin (i) (7712423) 3.55 *Noddy* (a) (6319320) 4.05 *The Chronicles of Narnia*. The first of a two-part drama based on the novels of C.S. Lewis (i). (CeeFax) (a) (8440184)

5.00 *Best of Blue Peter*. Highlights of the reports from Spain, Brazil, Hungary and the Falklands. (CeeFax) (a) (9316222)

5.35 *Neighbours* (i). (CeeFax) (a) (724271)

6.00 News with Philip Hayton. (CeeFax) Weather (580542)

6.15 *Regional News* (585097)

6.30 *The World's Strongest Men*. Ten mighty men in tests of strength and endurance against the backdrop of Iceland's dramatic scenery. (CeeFax) (a) (72142)

7.30 *EastEnders*. (CeeFax) (a) (388)

8.00 *Citizen Smith*. The 1980 Christmas edition of John Sullivan's comedy starring Robert Lindsay as Wolfe, the leader of the Tooting Popular Front. As Wolfe's girlfriend is in Italy for Christmas he decides to go and pay her a visit. (CeeFax) (6271)

8.30 *A Question of Sport*. Presented by David Coleman. Tonight Bill Beaumont and Ian Botham are joined by Carlton Palmer, Willie Carson, Jane Stannith and Mike Atherton. (CeeFax) (2078)

9.00 *Nine O'Clock News* with Michael Barker. (CeeFax) Regional news and weather (5900)



Aping gorillas: Sigourney Weaver as Dian Fossey (9.30pm)

9.30 *Film: Gorillas in the Mist* (1988).

© CHOICE: Sigourney Weaver, who after a gruelling stint with the *Alien* cycle is no stranger to playing tough and resourceful women, stars as the anthropologist Dian Fossey in a study biopic from the British director Michael Apted. It is a film of two parts. In the first we follow Fossey's mission to save the threatened mountain gorillas in the African Congo, failing for the local military and having a brief affair with a photographer (Brian Brown). We then skip five years, by which time Fossey has become a belligerent loner and is plagued by ill-health. More thanks to Weaver's dedicated performance than to a script which stays mainly on the surface, this becomes a strong and involving film and ultimately a heroic one. But the heroine, who comes to put animals before humans, is easier to admire than to like. (CeeFax) (a) (7233454)

11.35 *Guns: Live in Concert*. The soul singer recorded at the Com Exchange, Cambridge (a) (202828)

12.25am *Weather* (5294837)

BBC2

6.55 *Film: Samson and Delilah* (1949) starring Victor Mature and Hedy Lamarr. Cecil B. DeMille's crude and garish epic about the strongman who loses his heart and his locks to a Philistine beauty. (12766728)

9.00 *Film: The Story of Vernon and Irene Castle* (1939, b/w). The Fred Astaire/Ginger Rogers season-plus with this pleasing musical biopic of the popular dancing couple whose success was curtailed by the first world war. Directed by H.C. Potter (95504)

10.30 *Charlie Chalk*. Animation (i) (2772671)

10.45 *Stephen Sondheim's Into the Woods* starring Bernadette Peters and Chip Zien. An adult musical fairy tale (i). (CeeFax) (a) (14904252)

1.20 *Nikolaevna Plays Shostakovich*. Tatiana Nikolaevna plays preludes and fugues 18 to 21 (a) (31178423) 1.45 *Adam* (i) (a) (2184981)

1.50 *George and the Dragon*. A study in British literature's fear of dragons (i) (1893368) 2.50 *The Royal Institution Christmas Lectures*. Professor Charles Stirling discusses left- and right-handedness in the natural world (5015145) 3.50 *The Works: The Film*. A look at the world of fastenings (i). (CeeFax) (5344788)

4.10 *Film: Suspicion* (1941, b/w) starring Cary Grant and, in an Oscar-winning performance, Joan Fontaine. The Alfred Hitchcock sensation comes with the thriller about a husband who may be trying to murder her (2450813)

5.50 *Life With Eliza*. Edwardian comedy drama. (CeeFax) (831788)

6.00 *Film: Christmas Comes to Willow Creek* (1987) starring John Schneider and Tom Postel. The former *Dukes of Hazzard* boys play feuding trucker brothers who have to get a seasonal cargo of goodies from California to Alaska in time for Christmas. With Hoyt Axton. Directed by Richard Long (58813)

7.30 *Talking Magritte*. Personal interpretations of the work of surreal Dutch painter René Magritte. (CeeFax) (610)

8.00 *Irish Dreams*. The late Sir Kenneth McMillan's ballet, inspired by Chekhov's *The Swan Lake*, with music by Tchaikovsky, choreographed by Nicola Tranfaglia, Dorey Bussell and Wladimir Durants (a) (6881)

Fangs for the memory: Omar Ebrahim opens wide (9.00pm)

9.00 *The Vampire* — a Soap Opera.

© CHOICE: An obscure work by the 19th-century composer Heinrich Marschner is relocated to contemporary London, given new lyrics by Charles Hart of *Phantom of the Opera* and presented in five consecutive nighty chunks. The branch of Janet Street-Porter, the head of BBC youth programming, the project seems a stretch at first, but the music is so good that the melodramatic story line requires the *Vampire* (Omar Ebrahim), alias a property tycoon, to kill three women in as many days to win another year on earth. It is told in a restless pop video style and features much naked romping. The production is not so much modern dress as modern undress. The music is agreeable, the words (as far as one can decipher them) are on the colloquial side and the attractive young singers shed their clothes with dignity (a) (730726)

9.25 *The Bogie Man*.

© CHOICE: A seasonal offering from Scotland stars Robbie Coltrane as a schizophrenic who escapes from a mental hospital dressed as Santa Claus, thinks he is Humphrey Bogart and walks the mean streets of Glasgow in a plot vaguely borrowed from the *Maltese Falcon*. Paul Fenech's script is full of in-jokes for movie buffs, includes a character called *Jack* who is a parody of the peaches of Isidore Hammett-Chandler's detective. The visual style, too, evokes the spirit of the private eye movie with its studied shots of dark city streets and seedy bars. A bonus, apparently not borrowed from *Forrest* Hollywood, is an elderly landlady-cum-tailorist played with relish by Jean Anderson. (CeeFax) (a) (745875)

10.25 *Film: Earth Girls Are Easy* (1988) starring Geena Davis and Jeff Goldblum. Musical set-piece directed by Julien Temple. (CeeFax) (765185)

12.00 *Film: Invaders From Mars* (1953) starring Helene Carter and Laila Erickson. Stylish sci-fi drama directed by William Cameron Menzies (2842627) 1.20am *Weather* (5353214)

ITV LONDON

6.00 *TV-am* (5020271)

9.25 *The New Adventures of He-Man*. Animated adventures (5222728) 9.50 *Thames News* (9798894) 9.55 *Disney Cartoon*. Donald Duck in *No Hunting* (i) (8795165)

10.00 *Film: Poltergeist* (1980) starring Hayley Mills. A Disney adaptation of Eleanor H. Porter's children's story about how the arrival of a young orphan at her aunt's house in a small American town raises the spirits of the depressed community. Directed by David Swift (420417)

12.30 *Lunchtime News*. (CeeFax) Weather (1277146) 12.50 *Thames News* (1983146) 1.00 *Home and Away*. Australian family drama series (CeeFax) (89808)

1.30 *Film: The Miracle of the White Stallions* (1962) starring Robert Taylor and Lilli Palmer. Story second world war drama about the director of the Spanish Riding School in Nazi-occupied Vienna who plans the daring evacuation of his valuable Lipizzaner horses. Directed by Arthur Hill (81498313)

3.15 *ITN News headlines* (7175455) 3.20 *Thames News headlines* (7172368)

3.25 *Victor and Hugo*. Animated adventures of a pair of incompetent crooks (a) (6001077) 3.30 *Bugs Bunny*. Cartoon (9417851)

3.55 *Sergeant Slaughter Happens To A Vet* (1979) starring John Alderton and Colin Blakely. Entertaining sequel to *All Creatures Great and Small* following the fortunes of vet working in the Yorkshire Dales before the second world war. Written by Alan Plater, based on the novel by James Herriot and directed by Eric Till. (CeeFax) (508271)

5.40 *Early Evening News*. (CeeFax) Weather (130720) 5.55 *Thames News* (532523)

6.00 *Home and Away* (i). (CeeFax) (900)

6.30 *Just for Laughs*. Clips from classic British comedy films (252)

7.00 *Emmerdale*. Yorkshire Dales drama series. (CeeFax) (2891)

7.30 *Jimmy's*. A festive visit to St James's University Hospital, Leeds (a) (438)

8.00 *The Bill: High Places*. DI Burnside has to find a link between a series of robberies and the body of a former circus entertainer who drifted into crime, found under a railway bridge. Starring Christopher Eccleston. (CeeFax) (8038)



Silent delight: Rowan Atkinson in festive mayhem (8.30pm)

8.30 *Merry Christmas Mr Bean*. Rowan Atkinson stars as the accident-prone Mr Bean in another series of comic catastrophes (a) (7146)

9.00 *Film: Frankenstein* — The Real Story (1982) starring Patrick Swayze, Jason Quinn, John Wood, a Challenge for *Robbie Hood* (1987). Hammer Films' classic horror classic, with writer/director David Wickes, who made the recent television versions of *Jekyll and Hyde* and *Jack the Ripper*. Filmed in Poland and Pinewood studios, it is the story of a scientist who discovers the miraculous power to give life to inanimate objects. His initial euphoria disappears when he realises he has created a monster he cannot control. Continues after the news (181324)

10.15 *News*. (CeeFax) Weather (631417) 10.30 *Thames News* (724788)

10.35 *Film: Frankenstein* — The Real Story (1982) continued (5691271)

11.40 *Film: The Godfather Part II* (1974) starring Al Pacino, Robert Duvall, Diane Keaton and Robert De Niro. Outstanding sequel to the Oscar-winning Mafia drama shown on Boxing Day and Sunday. Michael Corleone is head of the 'family' and wants to modernise his business by going more legitimate. The performance and outstanding and a long complex narrative is brilliantly handled by the director Francis Ford Coppola (concludes tomorrow at 11.30pm) (285233)

1.40am *Film: Blueberry Hill* (1988) starring Carrie Snodgrass. A drama, set in 1950s California, about a young woman who finds release from her repressive relationship with her mother in music. With Jennifer Rubin. Directed by Stanislav Hamilton (a) (537547)

3.25 *Film: Raging Bull*. Directed by Martin Scorsese. The performance of a boxer who becomes a drinker and a gunman who joins forces to help an Amish community guard their property from a greedy tycoon. Directed by E.B. Cline (a) (288278)

5.05 *Happy Birthday Bugs*. A tribute to Bugs Bunny (1181837)

5.55 *ITN Morning News* (5353271). Ends at 6.00

CHANNEL 4

6.00 *Cartoons* (40252) 7.00 *The Big Breakfast* (22271)

9.00 *You Bet Your Life*. Game show hosted by Bill Cosby (a) (6201233)

9.25 *Laurel and Hardy* (5874165) 9.30 *Sesame Street* (56829)

10.30 *Pro-Celebrity Golf*. Joining Hialeah Irwin and Sam Torrance are Tim Brooke-Taylor and Gavin Hastings. Introduced by Tony Jacklin (65078)

11.30 *Kate and Allie*. Comedy series about two divorcees sharing single parenthood in a Greenwich Village home (6875)

12.00 *Ghazals*. The first of four daily programmes featuring the semi-finals and final of a national ghazal competition for poets and performers from Britain's Asian communities (20282)

12.30 *Famous People*. Famous faces. Quiz show presented by William G. Stewart (48875)

1.00 *Film: National Velvet* (1944) starring Mickey Rooney and Elizabeth Taylor. Children's favourite about a young girl who wins a racehorse and asks a former jockey to train it for the Grand National. Directed by Clarence Brown (5383528)

3.15 *Story of the Dancing Frog*. Animation (i). Followed by *Doctor De Soto*. Cartoon (i) (533813)

4.00 *One Family*. The first of four documentaries about families in the developing world, beginning with the 160-strong Narsingappa family from the southern Indian village of Lunkar (9728)

5.00 *The Daily Telegraph Junior Goller of the Year*. Fifteen boys and six girls compete in San Lorenzo, Portugal, presented by David Bohn with Tony Jacklin (8504)

6.00 *Crystal Maze*. Young people's game show (i) (a) (57894)

7.00 *Channel 4 News*. (Telexed) Weather (955436)

7.50 *Comment*. David Mervin on why Britain's reluctance to speak foreign languages is bad for business (104726)



Bribes across Europe: lorry driver Howard Law (8.00pm)

8.00 *Truckers*.

© CHOICE: A lively documentary on the culture of the international lorry driver follows Howard Law, a burly and cheerfully xenophobic Brazilian, on a trip to Turkey with a cargo of razors. A former man who has seen service in Ulster and the Falklands, Law is no romantic knight of the road. He does a job of work and has no illusions about it. Travelling through Europe means negotiating a bureaucratic obstacle course and Law knows when to slip the night sweats. Istanbul is known to truckers as *Marbora* because of the cigarettes they have to give out as bribes. No respecter of settled relationships, trucking has cost Howard two marriages and he says his only friends are the people he meets on the road. He still likes the sense of adventure. David Bean's amusing commentary adds garnish to a tasty meal (5349)

9.00 *An Angel at My Table*. The second of three-part biography of the New Zealand writer Janet Frame. (Telexed) (4240731)

10.05 *Film on Four: God on the Rocks* (1982) starring Sinead Cusack and Bill Paterson. Sensitive adaptation of Jane Gardam's Booker-nominated novel about a nine-year-old girl (Rebecca Edwards) trying to understand the emotions and deaths of her family in 1930s Yorkshire. Directed by Ross Crampton. (Telexed) (a) (682253)

11.45 *Roger Milla*. The first of four nightly programmes featuring the Vic comic strip characters. With the voices of Peter Cook and Harry Enfield (a) (682561)

11.50 *Talk, Dark and Handsome*. Comedy from Jamaican comedians Blackie and Bello. With guest singer Janet Kay (a) (857813)

12.50am *The Twilight Zone: The Movies* (b/w). Another tale of the supernatural (5291740). Ends at 1.20

UK GOLD

6.00am *Rainbow* (1021439) 6.15 *Chorley and the Wheelies* (1020250) 6.30 *The All New Poppy Show* (1020250) 6.45 *7.00 News* (1020250) 7.15 *Neighbours* (1020250) 7.30 *Sons and Daughters* (1020250) 7.45 *9.00 News* (1020250) 9.15 *10.00 News* (1020250) 10.15 *11.00 News* (1020250) 11.15 *12.00 News* (1020250) 12.15 *1.00 News* (1020250) 1.15 *2.00 News* (1020250) 2.15 *3.00 News* (1020250) 3.15 *4.00 News* (1020250) 4.15 *5.00 News* (1020250) 5.15 *6.00 News* (1020250) 6.15 *7.00 News* (1020250) 7.15 *8.00 News* (1020250) 8.15 *9.00 News* (1020250) 9.15 *10.00 News* (1020250) 10.15 *11.00 News* (1020250) 11.15 *12.00 News* (1020250) 12.15 *1.00 News* (1020250) 1.15 *2.00 News* (1020250) 2.15 *3.00 News* (1020250) 3.15 *4.00 News* (1020250) 4.15 *5.00 News* (1020250) 5.15 *6.00 News* (1020250) 6.15 *7.00 News* (1020250) 7.15 *8.00 News* (1020250) 8.15 *9.00 News* (1020250) 9.15 *10.00 News* (1020250) 10.15 *11.00 News* (1020250) 11.15 *12.00 News* (1020250) 12.15 *1.00 News* (1020250) 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Damage expected
from trade
treaty veto

BUSINESS

TUESDAY DECEMBER 29 1992

VAT complexities
pile up
for companies

BUSINESS EDITOR JOHN BELL

Consultants called in for four-month review

British Coal may order heavy management cuts

By ROSS TIERMAN
INDUSTRIAL
CORRESPONDENT

BRITISH Coal has hired consultants to review its management structure with a view to achieving huge cuts in overhead costs.

The review is expected to recommend the closure of some or all of British Coal's five headquarters groups, with widespread job cuts among the corporation's 3,000 non-colliery management staff.

A notice of possible redundancies has already been sent to each of the corporation's sites. The warnings are designed to enable British Coal to move fast to implement cuts once the government review of the industry's prospects is complete in late January.

The removal of the middle management tier between the Hobart House head office in London and the mine managers is the logical consequence of the declining numbers of pits and forceful criticism, both in a report commissioned last year from John T. Boyd, the American consultant, and

■ British Coal is preparing to move swiftly to cut costs, once the government review of the industry is completed in late January. Cuts could fall heavily among managers

within the corporation, that British Coal has failed to give sufficient freedom to mine managers.

If British Coal is allowed to complete the 31 pit closures, with the loss of 30,000 jobs, announced on October 13, the cost of maintaining some headquarters groups will fall disproportionately on a handful of collieries.

The north east region, which now runs five pits, has only one colliery, Ellington, that is a sure survivor of the current review. Vane Tempest has already closed and seems unlikely to reopen, and the future of three other pits is under industry department review.

The Midlands and Wales region is expected to either disappear or be merged with Nottingham, while Selby and South Yorkshire regions are

ready share the same building.

However, Resource Decision Systems, the latest consultant, which is part of the LEK partnership, has been given a free hand to draw up a new management structure that will cover British Coal from coal-face to chairman's office, and which will be sufficiently robust to pilot British Coal through privatisation, should the government ultimately decide to proceed with a sale.

Ray Proctor of LEK said: "The review is to be a fundamental one. None of the existing organisational divisions are sacrosanct."

Resource Decision Systems has been given four months to draw up proposals for a new management structure. The time-frame will allow the consultants to adjust their recommendations to suit the findings of the government's energy review.

According to a report in *Coal UK*, the industry newsletter, British Coal is seeking to reduce overheads by half in the next 12 months. *Coal UK* estimates that at present, overheads amount to 7p per gigajoule of coal mined, or about 4.5 per cent of the price at which the corporation has offered coal to electricity generating companies. Costs have already more than halved since 1987-8.

Bert Wheeler, British Coal's operations director, is reported to have told *Coal UK* that the corporation aimed to "remove a tier of management", granting collieries more self-sufficiency. But the review may result in an increased role for the corporation's operational headquarters, at Eastwood Hall, Nottingham.

The consultants have been asked to advise on bringing together the production planning of deep-mined coal and British Coal's opencast operations. Surface mining, currently running at more than 17 million tonnes of coal a year, will play an increasingly important role in both total production and coal-blending as the number of deep mines is reduced.

In addition, the review will seek increased opportunities for out-sourcing of skills and services, and review the functions of the corporation's head office at Hobart House, overlooking the gardens of Buckingham Palace in London.

Some of the impending middle management job losses are expected to fall within the 30,000 reduction signalled by British Coal in October. Even if the government grants a reprieve to 10 to 15 pits, as now expected, British Coal's manpower is expected to continue to decline, as a result of efficiency improvements both at regional management level and below ground.



Striving for change: Peter Middleton and David Rowland plan a slimming exercise

Lloyd's top men embark on drive to reduce costs

By SARAH BAGNALL

DAVID Rowland, who becomes chairman of Lloyd's of London at the start of the new year, and Peter Middleton, the recently arrived chief executive, are preparing to reduce costs at the 300-year-old insurance market by up to 30 per cent and replace its byzantine committee structure.

They can derive encouragement from evidence that the troubles that have shaken Lloyd's for the past two years may be past their zenith. The flood of names leaving the market is thought to be subsiding and underwriting losses have peaked. The £2.06 billion loss for the 1989 year of account, reported last June, will, with luck, be relegated to the history books. Further losses of £1 billion are expected for 1990, but the hope is that the market will report a return to profitability for the 1992 year of account.

Against this background of improving fortunes, Mr Rowland and Mr Middleton are poised to tackle the market's myriad problems. Among them are easing the plight of names who have made heavy losses, averting costly litigation by disgruntled names, ensuring adequate underwriting capacity, tackling syndicates with open years and cutting the market's costs.

Mr Rowland says the complexity of the task is compounded by the fact that all the problems are interlinked. He should know. It was the report of the task force he headed, published almost a year ago, that set the present agenda for

change. But before some of the difficulties can be overcome, there are various "housekeeping" issues to be settled. They include the market's cost base, its committee structure and the mass of different computer systems. Mr Rowland explains that these need tidying up first, to create renewed confidence in the leadership and management of Lloyd's and enable the market to tackle the real issues, namely the strategic issues of the market's future profitability.

Mr Middleton adds that "in the first quarter of 1993, there will be a concentration on the major elements of the cost base". The market's cost competitiveness has been eroded as insurance companies have cut their overheads. The target is a cut in costs of 30 per cent, Mr Rowland says.

Also at the top of Lloyd's manifesto for change is the society's byzantine system of committees. The idea is to take a knife to most of the 37 "committees" and "committees of the committees". Mr Middleton said the majority of these committees are likely to go, with members of the newly established market board taking responsibility for the issues.

The setting up of the market board, the 18 members of which meet for the first time on January 12, is one of the first steps already taken towards reform.

One problem facing the market board is to reach an agreement on systems development. The market is very

fragmented, with Lloyd's underwriters using different systems. The market board also has the difficult task of trying to entice the market to use the new electronic placing system, currently hardly used.

Of equal importance, Mr Rowland stressed, is the treatment of names — past, present and future.

"The society hasn't perceived just how crucial names are. A culture change is needed in order to ensure that everything we do is for the benefit of the names. The interest of names takes precedence and we must very consistently re-emphasise this over the long term," said Mr Rowland.

To help with the historical problems facing names Mr Middleton has called upon the services of two management consultancies.

Mercer Consulting is delving deep into the issue of open years, which occur when syndicates are unable to close their accounts because future claims cannot be quantified with certainty.

Another consultancy, LEK, is looking into the thorny and delicate issue of errors and omissions insurance (E&O), which covers managing and members agents against claims for negligence. The issue is taking on increased importance as names on various loss-making syndicates, including Gooda Walker and Feltrim, are gearing up in readiness for a protracted court battle for compensation from their agents.

Japanese trade surplus at \$10.45bn peak and growing

FROM REUTERS IN TOKYO

JAPAN's balance of payments current account surplus was up nearly 50 per cent in November on a year earlier and likely to keep widening as long as the economic slowdown suppresses imports.

The finance ministry said the \$10.45 billion surplus in the current account, the broadest measure of trade in goods and services, was the largest ever for November although still below March 1992's \$13.79 billion record. In November 1991 the surplus was \$7.05 billion.

"We do not see any significant change in the trend in the trade surplus and we see the upturn continuing as long as the sluggish Japanese economy pulls imports down," an economist at Nikko Research Centre said.

Economists agreed the surplus would keep widening until Japan's economy recovers and domestic demand and imports pick up. They see that happening in the latter half of 1993 at the earliest.

The government recently revised downwards its estimate of Japan's economic growth for the current fiscal year to 1.6 per cent from its earlier forecast of 3.5 per cent.

The expansion in the current account surplus reflected a jump in both the trade surplus and invisibles (services) surplus, a finance ministry official said. The trade surplus grew to \$9.65 billion in November from \$8.46 billion a year ago, but decreased from \$13.05 billion in October. Japan exported \$26.49 billion worth of goods in November, up 0.7 per cent from the

same month the year before, while imports totalled \$16.83 billion, down 5.7 per cent from last year.

The November growth in exports was slow because manufacturers were using up this year's export quotas for the US and European markets. "After January 1, they will be allowed fresh quotas so we shall see exports showing a larger increase again," he said.

Trade in invisibles showed a \$1.15 billion surplus in November for the first time since March, because Japanese banks improved their position by paying less interest abroad while creditor banks received large payments from debtor nations such as Brazil, the ministry official said.

In addition, fewer Japanese travelled abroad, narrowing the deficit in the tourism account.

The growing surplus is expected to be the target of continuing attacks by other countries, especially the US.

Tokyo's once-mighty stock market, plagued by a prolonged economic slowdown and gloom over the prospects for corporate earnings, looks set to post its lowest annual trading volume for 17 years.

Turnover on the market's first section up to the end of last week amounted to 65.1 billion shares — about a quarter of the 1991 volume — and the final figure for this year will likely be the lowest since 1975.

The total value of the shares traded so far was ¥59 trillion (€310 billion), about half of last year's figure.

Wall Street, page 29

TUC sees loophole in contracting out

By OUR INDUSTRIAL CORRESPONDENT

AN IMPENDING change in European law will enable public sector workers to win redress for any loss suffered as a result of the government's policy of contracting out services, the Trades Union Congress believes. The TUC is setting up a special legal unit to advise unions on claims.

Successful legal action by TUC affiliates could throw the shift to contracting out into confusion and lead to thousands of back-dated claims. As last week's High Court judgment on pit closures shows, unions are becoming more advanced in their use of the law to win industrial disputes.

The TUC's optimism is founded upon an expected amendment to the European Community Business Trans-

fer Directive. Under this, employees' rights are protected when private companies change hands. But a revision to the directive, expected before the European Council next year, would extend the provisions to public services.

According to the latest draft of the revisions, the directive would cover "public undertakings carrying on activities of an economic nature".

□ Unions are winning more than £250 million a year in legal awards for their members, says the first study of union legal services by the TUC. The study, of 28 unions representing 89 per cent of TUC membership, showed that in 1991 they pursued more than 150,000 cases and won £250 million damages.

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CNN set for world battle with BBC

CABLE News Network (CNN) is to double its international budget to an estimated \$80 million next year to meet head-on competition from the BBC's new World Service Television (WST).

The US-based 24-hour all-news network — controlled by Turner Broadcasting System and headed by Ted Turner, the billionaire and husband of Jane Fonda — and WST are expected to battle for dominance of the world-wide television news market for most of the next decade.

WST is said to have grown dramatically since its launch in April 1991 and Chris Irwin, its chief executive, estimates the service is three times stronger than CNN in Asia, commanding viewers in 20 million households.

Through satellite footprints, the BBC can broadcast to 87 per cent of the globe and will close the remaining gap by the end of



Turner: reaching out

next year (1993). CNN, based in Atlanta, Georgia, claims a world-wide audience of 54 million. In the US, the four Turner Broadcasting stations, which include the US domestic version of CNN, claim viewers in 60

million homes — 94-97 per cent of the market.

After years of struggle, Turner Broadcasting is beginning to show a profit and virtual saturation at home, which means expansion must come from outside the United States.

CNN has been accused of being too US-biased to attract world viewers at any time other than in world crises. In an interview, Mr Turner said: "We are reaching out to internationalise this network as aggressively as we know how."

He plans to cut the amount of US news to 30 per cent and regionalise the content of the remainder.

CNN denies its increased budgets are prompted by the success of the BBC's competition. Mr Peter Vee, vice-president said: "We're not doing it in response to any particular competition," and says the money will be used to strengthen its coverage

and audience for international news.

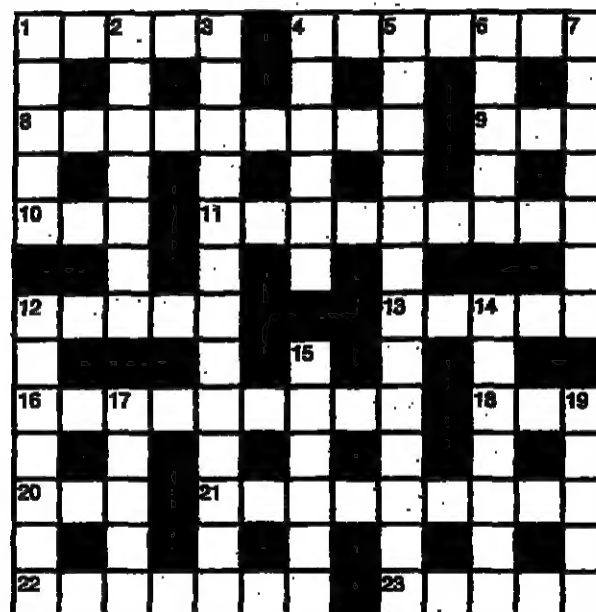
The US broadcaster refuses to disclose budgets, but independent television sources put its annual budget this year at \$40 million, financing 19 international bureaux.

The BBC's WST is said to be operating 100 of its own staff on half that figure. With a CNN budget doubled to \$80 million next year, the BBC will attempt to compete with just a quarter of the money.

WST's Mr Irwin said: "The BBC has been in the business of international broadcasting for 60 years. It has a very good brand presence."

Neither service is believed to be making a profit, but Turner Broadcasting is growing deep pockets. Wall Street estimates that it will triple earnings and double its asset base to \$11 billion over the next three years.

CONCISE CROSSWORD NO 2982



ACROSS

- 1 Funny (5)
- 4 Discarded (7)
- 8 Train control point (6,3)
- 9 Gloom (3)
- 10 Animal pouch (3)
- 11 Suppleness (9)
- 12 Shop bargains period (5)
- 13 Exhaust (3,2)
- 14 Stand for (9)
- 15 Kitty (3)
- 16 Beer cask (3)
- 21 Essential force (4,5)
- 22 Peaceful, calm (7)
- 23 Race competitor (5)

DOWN

- 1 Charges (5)
- 2 Enchanted (7)
- 3 Methodist hymn writer (7,6)
- 4 Discuss (6)
- 5 Allowable expense (3,10)
- 6 Anchor area (5)
- 7 Assume disguise (5,2)
- 12 Prison sentence (7)
- 14 Utilize (7)
- 15 Overcome with noise (6)
- 17 Jury (5)
- 19 Now (5)

SOLUTION TO NO 2981

ACROSS: 1 Stakes 5 Behind 8 Claw 9 Monolith 10 Pad 12 Year 15 Victor Ludorum 16 Bear 17 Cudgel 19 Aptitude 21 Boer 22 Expert 23 Negate
DOWN: 2 Talkative 3 Kew 4 Symmetry 5 Bunk 6 Hollywood 7 Not 11 Determine 13 Amusement 14 Luncheon 18 Bust 20 Fox 21 Bag

The answers to the Jumbo Christmas Concise Crossword appear on page 10. We apologise to readers who expected to see them yesterday.

CROSSWORD ENTHUSIASTS: For mail order details of all Times Crossword Books and The Times Computer Crossword software with help levels (runs on most PCs), call Alison Ltd on 081 852 4575 (24 hrs) or CDS Duncaster on 0302 890 000. Just released - the First Book of The Times Jumbo Concise Crosswords, £5.50, ring Akorn. Postage free until December 31 (applies UK only).

This position is a possible conclusion from the game Speedman - Gulls, Foreign & Colonial Hastings Premier 1989/90. How does white force a quick mate? This year's Hastings tournament features the Hungarian prodigy Judit Polgar. Further details from the British Chess Federation on 0424 442500 (Raymond Keene).

Solution on page 22.

By PHILIP HOWARD

KOTO

- a. A small arboreal bear
- b. An Oriental board game
- c. A Japanese delicacy

NEVANSKITE

- a. A native alloy
- b. The Russian kite
- c. A village councillor

WURRA

- a. An Indonesian language
- b. Exclamation of grief
- c. A Jack Russell puppy

SEMANTEME

- a. A suit of meaning
- b. Ancient Greek warship
- c. An American Indian

Answers on page 22